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TOTALITARIANISM

Operation Keelhaul Exposed

Jeffrey Rogers Hummel

At 5:00 A.M. on Sunday, the sleepy prisoners of war were abruptly surprised by the glare from searchlights mounted on tanks surrounding the compound. Soldiers barged in, followed by a convoy of trucks. The prisoners were lined up, searched, and loaded lying face downward onto the trucks. With well-armed guards beating any of the prisoners who moved, the trucks drove to the railhead where the prisoners were unloaded into waiting cattle cars. The empty trucks returned and picked up load after load. When all 3000 prisoners had been stuffed aboard, the train carted them off for eventual transfer to slave-labor camps or to be executed. The date was February 1946. The location was Plattling, a town in Bavaria, Germany. The prisoners were Russian, but the soldiers were not German. They were Americans of the 101st Airborne Division who were engaging in an operation that became commonplace in Europe at the close of World War II. For the Russian prisoners were refugees from Stalin's dictatorship, remnants of the Second KONR Division of Vlasov's anti-Communist army. They were being repatriated, by force, to the Soviet authorities as part of what was officially labeled, after one of the most severe forms of torture ever used aboard sailing ships, OPERATION KEELHAUL!

Smith Hempstone, in his review of Solzhenitsyn's *The Gulag Archipelago, 1918-1956,* estimates that "Not one American in 100,000 has heard of 'Operation Keelhaul' ..." So far as I know, until the publication of Julius Epstein's volume, information on Operation Keelhaul could only be found in this country in a few scattered articles from newspapers and magazines and also in three books: *Our Secret Allies,* Eugene Lyons' history of Russian opposition to Communism; *The East Came West,* Peter J. Huxley-Blythe's account of the Cossacks during the War; and *The Politician,* Robert Welch's treatise on Eisenhower. During the fervor that accompanied the Second World War, the United States Government assumed dictatorial and awesome powers, even by today's standards, and that is perhaps why no other period offers so many undisclosed skeletons in the closet—scandals covered-up or glossed over. The case of Tyler Kent, the Sedition Trials, the provoking of the Pearl Harbor attack, the concentration camps for Japanese-Americans, and many others that might be mentioned; all are events involving raw and brutal state power or perfidy, and yet the details of none of them are even today generally known. But of all the shocking and yet unknown crimes perpetrated by the U.S. Government during World War II, Operation Keelhaul was undoubtedly the most massive. Its victims were the thousands of refugees, both soldiers and civilians, fleeing to the West from the successful advance of the Red armies through Eastern Europe. They were hoping to escape Communist tyranny and find asylum, but instead they were all collected by the Allied armies and *forcibly* repatriated into the anxious arms of the Soviets.

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OPERATION KEELHAUL. By Julius Epstein. Old Greenwich: The Devin-Adair Co. 1973. 255 pp. $8.95.

THE LESSER EVIL

Like the prisoners at Plattling, many of those forcibly repatriated were Russians who had fought in German uniforms. When the German armies had first invaded the Soviet Union, many Russians considered the event a golden opportunity for overthrowing Stalin and liberating Russia. Even after Hitler disillusioned them by implementing Rosenberg's cruel and insane *Ostpolitik,* there were still a good number who felt that German oppression was the lesser of two evils. Further, many officers of the *Wehrmacht* disagreed with the *Ostpolitik,* and it wasn't very long before OKH headquarters was silently tolerating the employment of Russian deserters and prisoners of war, first as support troops, where they came to be known as *Hilfsfreiwillige,* and later as combat troops, who were called *Osttruppen.*

In July of 1942, the Germans captured General Andrei A. Vlasov, a Soviet war hero who had been awarded the Order of the Red Banner for his successful defense of Moscow from the initial German onslaught. By the time of his capture, Vlasov had become so disenchanted with the Soviet system that he proposed to the Germans that they help him recruit and lead a *Russkaya Osvoboditelnaya Armia* (ROA), Russian Army of Liberation. Vlasov's proposals did succeed in gaining a few concessions from the *Ostpolitik:* the *Osttruppen* were given official sanction, recruited until they totaled nearly one million

men, and even issued ROA insignia. However, the ROA was never allowed to organize above the battalion level and, for the most part, was humiliated and shoved around by being subordinated and submerged within larger German units. Vlasov was given no real authority; instead, he was subjected to unceasing but mostly unsuccessful attempts to use him for propaganda purposes and to get him to glorify Hitler and his racist doctrines. Finally, most of the ROA units were transferred to the Western Front, where they never wanted to fight in the first place.

By 1944, however, the Germans had become desperate, and they were prepared to give Vlasov free rein. A *Komitet Osvobozhdenia Narodov Rossii* (Committee for the Liberation of the Peoples of Russia) was formed, and three KONR divisions totaling 50,000 troops were organized. They saw some action against Stalin's armies, but unfortunately not before Germany was in the final stages of collapse and the situation beyond hope. Vlasov, to save his men from annihilation, concentrated them toward Austria in order to surrender to the Americans.[1]

The position the Allies should have taken toward Vlasov's men and the ROA generally, the position demanded by the Geneva Convention, was made clear by Undersecretary of State Joseph Grew in a note to the Soviet Attache in Washington just before the Yalta Conference opened:

> In regard to the status of the Soviet nationals under discussion, I feel I must in all sincerity remind you that they were not captured by American forces while they were detained in German prisoners of war camps but were serving Germany in German military formations in German uniforms. . . .
>
> We cannot repatriate these people because this would be a gross violation of the Geneva Convention. They were captured in German uniforms, and the Geneva Convention does not permit us to look behind the uniform. . . .
>
> It appears to the appropriate American authorities who have given most careful consideration to this situation, that the clear intention of the Convention is that prisoners of war shall be treated on the basis of the uniforms they are wearing, and . . . the containing powers shall not look behind the uniforms to determine ultimate questions of citizenship or nationality. . . .
>
> There are numerous aliens in the United States Army, including citizens of enemy countries. The United States Government has taken the position that these persons are entitled to the full protection of the Geneva Convention and has informed the German Government over a year ago that all prisoners of war entitled to repatriation under the convention should be returned to the custody of the United States regardless of nationality. . . .[2]

Whoever these "appropriate American authorities" were, the historical record shows that other authorities prevailed, while Grew himself was soon eased out of the State Department by Dean Acheson. The Second KONR Division, which surrendered to the Americans at Landau in Bavaria, was forcibly repatriated from Plattling in the manner described above *after* they had been repeatedly assured by Col. Gillis, camp commandant, that such would not be their fate. When one of the American officers at Plattling accused the Russians in the ROA of being collaborators, he was answered as follows:

> It was pure chance that during the war we found ourselves on territory held by the Germans and took up arms against the Soviet regime with German help. We wore German uniforms because we had no others, but our shoulder emblems of rank and the badge on our sleeve, the Russian St. Andrew Cross, are all part of our country's age-old tradition. Our men are Russians. We fought for a democratic ideal against the Communist tyranny now gripping our country. We are fighting for a political idea and are not traitors or mercenaries. We had only one aim. The sacred aim of saving Russia. Had the Zulus fought against Stalin instead of the Germans, we would have joined them because only one thing matters—to destroy Stalin and Communism.[3]

Meanwhile, the First KONR Division had sidestepped into Czechoslovakia, turned on their German allies, and liberated Prague. They had done so in answer to the pleas which the Czech underground had addressed to the American forces under General Patton but which the Americans were unable to answer because they were being held back on orders from Eisenhower. Since the Red army was close behind the KONR troops, however, they quickly marched off to Schlüsselburg, Austria. Here they made contact with the American forces, which disarmed them and then left them at the mercy of the advancing Red army, refusing to let the division flee through American lines. The unit disintegrated as its members either tried to escape as best they could with the Soviet commandos hunting them down, or else committed suicide.

Two of Vlasov's generals, Meandrov and Maltzev, who had surrendered to the Americans, slit their wrists when they discovered they were going to be repatriated. They were rushed to hospitals and given expert treatment. After they recovered, they were turned over to the Communists. Vlasov himself was being transferred to an American headquarters by an American convoy when a Red army detachment intercepted the convoy and removed Vlasov and his staff. The fact that the American escort offered no resistance lends credence to the charge that the rendevous was prearranged. One year later, *Izvestia* announced that Vlasov and all his major subordinates had been hanged.

FATE OF THE COSSACKS

The victims of Operation Keelhaul included not only soldiers wearing German uniforms, but also civilians, as the fate of the Cossacks illustrates. During the War, the German high command took a much more enthusiastic attitude towards enlisting the support of those U.S.S.R. nationalities that it did not consider Slavic, and therefore *Untermenschen.* Among these were Georgians, Turkomens, Caucasians, etc., but the primary beneficiaries were the Cossacks.[4] Some 250,000 Cossacks joined the German armies fighting Stalin, including 80,000 organized into the XV Cavalry Corps. When the German forces were slowly pushed out of Russia, not only did the Cossack troops withdraw, but large numbers from the Cossack nation went with them. The trek was long and arduous, but at the end of the war nearly 30,000 Cossacks—families, with many women, children, and old men—had put themselves under the protection of the 11th British Armored Division near Leinz, Austria. They had been joined by many old Cossack *emigres* who had left Russia during the Civil Wars from 1917 to 1920 and had since lived in Yugoslavia or Germany. Most of the troops of the XV Cossack Cavalry Corps had already been repatriated at Judenburg, but the Cossacks at Leinz did not know this when, on May 28, 1945, the British ordered all the Cossack officers, military officials, and physicians to attend a special conference with higher British officials. Over 2000 Cossack officers, including the very aged Peter Krasnov, who had led the White armies allied with the British during the Civil War but had not been in Russia since, boarded a convoy of over 75 vehicles escorted by 25 Bren gun carriers, and then were taken, not as they had been told to a conference, but to the waiting Soviets at Judenburg. Even the Communists were surprised to see among their prisoners General Krasnov and so many old *emigres,* and were very pleased at the unexpected opportunity to take vengeance on their old enemies. Krasnov and his associates, like Vlasov, were subsequently hanged.

Back at Leinz, word of the fate of their officers and of the XV Corps had filtered back to the remaining Cossacks, who organized a passive resistance in which the soldiers and cadets would link arms and form a protective chain around the older men, women, and children. That is what they did at dawn on June 1st, when the camps were surrounded by British Bren gun carriers and armed troops. At a signal, the troops advanced into the crowds and began clubbing the Cossacks with rifle butts and batons. Those who tried to run away were shot in the feet and legs. The victims were thrown onto a convoy of waiting trucks, which took them to the nearby railroad siding. As each cattle-car was filled, it was bound shut with barbed wire and another car was loaded. Many tried to commit suicide along the banks of the Drava river. One woman, who was dragged out downstream and revived, turned out to be a doctor who had earlier killed her daughter and mother with overdoses of morphine rather than let them suffer repatriation. Her second attempt at suicide succeeded. Isolated British troops, fearing for their lives in the *melee,* opened fire. The Bren gun carriers advanced to compress the crowds, and one woman threw her baby and then herself under the tracks to be crushed. Two Cossack men approached a British officer and addressed him in Russian. As the officer asked his interpreter for a translation, both men slit their own throats and slumped to the ground, twitching and dying. "Our blood is on you and your children," was the translation of their statement. An engineer from Novotcherkassk shot his twelve-year-old son, his one-year-old daughter, his wife, and then himself. Hundreds killed themselves in various fashions.

All day long the trucks drove between the camps and the railroad, and load after load was locked into the train. Toward evening, 60 freight-cars full started their journey to the U.S.S.R. Still more remained in the camps, but the British decided to cease efforts for the day. The following day the Cossacks received a respite, but on June 3rd the repatriations commenced again. There was a slight change of policy as this time the British finally decided to segregate those who had been Soviet citizens on September 1, 1939, from the old *emigres* and only repatriate the former. By the

end of the 4th, the entire valley had been cleared of refugees; the repatriations were complete.

EUROPEAN REPATRIATES

Citizens of Eastern European countries (other than Russia) coming under Communist subjugation were also victims of Operation Keelhaul. The anti-Communist Croatian Utashi, fleeing from Tito's partisans, were disarmed by the British at Bleiburg in Austria and turned over to the Yugoslav dictator.[5] Several thousand Hungarians who had fought the advance of the Soviet armies retreated and surrendered to the Americans. They were repatriated to Budapest where many were publicly executed.[6]

As the dust settled on defeated Germany, the Allied armies started the huge task of herding together all the prisoners of war and refugees and concentrating them in DP (Displaced Persons) camps. Many had in their possession Allied leaflets dropped from the air which branded as a lie the Nazi charges that prisoners would be shipped to Russia. Nevertheless, special repatriation teams of Allied and Soviet officials went through the camps questioning and screening in order to sort out all who might have been residents of the Soviet Union or the Eastern European countries. Those to be repatriated were sent to special camps which were policed by British and American troops under the supervision of Soviet officials, who insured that any anti-Communist propaganda or activity was suppressed. In July 1945, the operation of the DP camps was transferred from the G-5 of SHAEF (Supreme Headquarters Allied Expeditionary Force) to UNRRA (United Nations Relief and Rehabilitation Administration). Herbert Lehman and later Fiorella LaGuardia, as heads of UNRRA, assumed the task of forced repatriation with the same enthusiasm that they displayed when using UNRRA funds to finance the solidification of the Lublin Gang's hold on Poland.

Ghinghis Guirey, an American on one of the screening teams, reported:

> The most unpleasant aspect of this unpleasant business was the fear these people displayed. Involuntarily one began to look over one's shoulder. I heard so many threats to commit suicide from people who feared repatriation that it became almost commonplace. And they were not fooling.[7]

Another observer, a priest, confirmed the attempts at suicide when the day for repatriation came at the DP camp at Dachau:

> In Dachau, where there were no prisoners of war but just ordinary deportees, *Ostarbeiter,* Americans ordered them handcuffed in order to turn them over more conveniently. The unfortunate men, driven to desperation, smashed window panes with their heads and cut their throats with glass. They managed somehow to set fire to one of their barracks and threw themselves into the flames, having first soaked themselves in spilled gasoline. Ten of the men were burned to death. There were 275 cases of suicide or attempted suicide.[8]

Another report about Dachau was carried in the *Stars and Stripes* for January 26, 1946:

> "It just wasn't human," one guard said. "The G.I.'s quickly cut down those who hanged themselves from rafters. Those who were still conscious were screaming in Russian, pointing first at the guns of the guards and then at themselves, begging to be shot."
>
> "Even when we were trying to help and send them to hospitals they refused to live. One had stabbed himself in the chest and seemed almost out when we put him on a litter and loaded him onto a truck. Every time he moved blood spurted from the wound. Two MP's could not subdue him. Two of them broke their billies hitting him on the head."[9]

Such horror scenes were the rule in hundreds of other DP camps all over Germany, Italy, France, Denmark, Norway, and Sweden. In fact, Operation Keelhaul even reached the United States. Many Russians were brought as prisoners of war to camps chiefly in Idaho. At the end of the war, they were all boarded on Soviet ships at Seattle and Portland except for almost 200 who had put up the most violent resistance and were instead moved to Fort Dix, N.J. There, another attempt was made to repatriate them in which the MP's used tear-gas. The three who committed suicide are buried in the National Cemetery at Salem, N.J. The remainder, when forced aboard the Soviet vessel, rioted and dismantled the ship's engines with their bare hands. The ship could not leave port, so the Russian prisoners were returned to Fort Dix. Finally, the American authorities made a third attempt at repatriation by surreptitously mixing barbiturates into the prisoners' coffee and loading them on a Soviet ship while they were unconscious. The third attempt succeeded.

The many Polish officers serving in Italy with Polish units loyal to the Mikolajczyk government in exile in England committed suicide when they realized that they would be repatriated to the authority of Stalin's Lublin Gang.

In short, the Allied armies tracked down everyone who could conceivably be construed as a Russian or Eastern European citizen—men, women, and children, soldiers and civilians, those who had fought with Germany and those who had fought against Germany —collected them together and brutally handed them over to Stalin and his minions. It is estimated that

between *two to five million* victims were involved! The excuse of those who participated in and executed Operation Keelhaul was that they were "acting under orders," that forced repatriation was required by the Yalta Agreement. However, as Epstein conclusively demonstrates, the Yalta Agreements, while calling for a system of repatriation, said absolutely nothing about the use of force, and furthermore, Operation Keelhaul was already in full swing in June 1944, eight months *prior* to Yalta.

WHO WAS TO BLAME?

Welch and Huxley-Blythe, in their previous accounts, have asserted that the individual bearing the primary responsibility for originating and implementing Operation Keelhaul was the commander of SHAEF, General Eisenhower. Epstein avoids making any final assessment of guilt, but much of his evidence supports and none of it contradicts those accusing Eisenhower. Whatever Eisenhower's initial culpability, it was certainly compounded by the distortions of the truth about the affair that he published in his book, *Crusade in Europe:*

> These policies and agreements [Yalta] we first tried to apply without deviation, but we quickly saw that their rigid application would often violate the fundamental humanitarian principles we espoused. Thereafter we gave any individual who objected to return the benefit of the doubt.[10]

Incidents at the DP camps in Rimini and Pisa in Italy indicate that Operation Keelhaul was still being enforced at least as late as 1947, long after Eisenhower had moved up from SHAEF to the Joint Chiefs of Staff.

The reason, of course, that the responsibility for Operation Keelhaul remains so obscure is that all the relevant documents still remain locked up and inaccessible. Three volumes of records, entitled "Forcible Repatriation of Displaced Soviet Citizens—Operation Keelhaul," were classified Top Secret by the U.S. Army on September 18, 1948, and bear the secret file number 383.7-14.1. Other documents are being held under wraps in the UNRRA Archives by the U.N. Secretariat and in the British Archives by the British Government. Epstein, who earlier was instrumental in uncovering the truth about the Katyn Forest massacre, has been attempting for 20 years, since 1954, to get the veil of secrecy removed from the Keelhaul documents. So far, his efforts, including a suit under the Freedom of Information Act of 1966, have proven fruitless.

Consequently, the account in Epstein's book is far from complete and even slightly disjointed. He has pieced together reports from participants, eyewitnesses, and surviving victims to give a few incidents and then fitted them into a narrative that brings forced repatriation through the policies of the Austrian, Italian, and West German Governments up to the 1970 incident involving Kudirka, the Lithuanian seaman, and relates the entire issue to international law and the Geneva Convention. He concludes that forced repatriation, under any circumstances, is a "crime against humanity, violating international law and humanitarian principles."[11] Although a truly comprehensive account of Operation Keelhaul will probably have to await the release of the official documents, Epstein has certainly performed a great service by publishing a book, the first exclusively devoted to the subject, that may finally bring Operation Keelhaul to the attention of the American public.

IMPLICATIONS

To libertarians, Operation Keelhaul is significant for two reasons. First, it represents an instructive case study of the fantastic power that even a supposedly democratic state can ruthlessly wield during wartime. Not only were the Allied governments able to perpetrate the crime, but afterwards, they were able to impose what Harry Elmer Barnes has appropriately called an "historical blackout" so effective that it lasted for nearly 30 years. Secondly, it is a chilling comment on the motives of those who ran the U.S. Government at the time and, by implication, on those who run it now. It is fashionable, even among libertarians, to laugh off explanations which ascribe evil and deceitful (as opposed to well-meaning but misguided) motives to our political masters in Washington as "conspiracy theory." However, no one has yet produced a satisfactory explanation of how Operation Keelhaul resulted from misguided idealism or liberal blindness. It seems, at least to me, that any explanation that falls short of including clandestine Soviet-American collusion at some level is obviously inadequate.

Be that as it may, it is interesting in conclusion to observe that the Soviets do not share the U.S. Government's reticence about publicizing Keelhaul. When the U.S.S.R. Government released several hundred survivors of forced repatriation in 1955—after 10 years in Siberian slave-labor camps—a Russian newspaper carried the following:

> We have let "them" out [referring to the old Cossack *emigres*] and we have forgiven "our own" [referring to the Vlasov soldiers].
>
> Whether they were Vlasov men or prisoners of war who did not want to return to the motherland does not matter now. All their sins have been forgiven.
>
> But the English and American bayonets, truncheons, machine guns and tanks used against them will never be forgotten.
>
> No Russian will ever forget Lienz, Dachau,

Plattling, Toronto, and other places of extradition, including New York. And they must never be forgotten. It is a lesson all Russians must learn well. For it shows that you cannot trust the capitalist states in the future. [12] ◻

NOTES AND REFERENCES

[1] For accounts of the history of Vlasov and the ROA, see George Fischer, *Soviet Opposition To Stalin: A Case Study In World War II* (Harvard University Press 1952), Sven Steenberg, *Vlasov* (Knopf 1970), and Wilfried Strik-Strikfeldt, *Against Stalin and Hitler: Memoir of the Russian Liberation Movement,* 1941-1945 (John Day Co. 1973).
[2] The Grew note, although referred to in a footnote in the official Yalta papers, was suppressed until Epstein got John Foster Dulles to declassify it in 1955. Epstein first published the contents in *The Brooklyn Tablet* for May 28, 1955.
[3] Quoted by Peter J. Huxley-Blythe, *The East Came West* (Caxton Printers, Ltd. 1964), p. 190.
[4] A full history of the Cossacks during World War II is given in Huxley-Blythe, *ibid.*
[5] The fate of the Croatians, especially after they had been repatriated, is vividly described in Joseph Hecimovic, *In Tito's Death Marches and Extermination Camps* (Carlton Press 1962).
[6] Robert Welch, *The Politician* (Belmont Publishing Co. 1964), pp. 32-33.
[7] Quoted by Eugene Lyons, *Our Secret Allies: The Peoples of Russia* (Duell, Sloan & Pearce 1953), p. 263.
[8] *Ibid.*, p. 264.
[9] As quoted by Huxley-Blythe, *op. cit.*, pp. 187-88.
[10] Dwight D. Eisenhower, *Crusade in Europe* (Doubleday 1952), p. 485.
[11] Julius Epstein, *Operation Keelhaul: The Story of Forced Repatriation from 1944 to the Present* (Devin-Adair Co. 1973), p. 211.
[12] Quoted in *Ibid.*, p. 91.

SOLZHENITSYN'S TESTAMENT

John Hospers

George St. George opens his much publicized book *Siberia* (David McKay Co., 1969) with an account of his childhood in the central Siberian city of Irkutsk during czarist days. Among other things, he tells how political prisoners were shipped from European Russia to exile and sometimes imprisonment in Irkutsk, and he expresses relief that a far more humane regime has now replaced that of the czars, and that such things no longer take place. When I was in Irkutsk a few months after reading this book in 1971, I could see traces of czarist days, especially in the architecture, but of course I saw no caravans of prisoners; nonetheless, since I had also read other books (such as Dallin and Nikolaevsky's *Forced Labor in Soviet Russia)* I was far from convinced of the truth of St. George's account.

Solzhenitsyn's book *The Gulag Archipelago* (the archipelago being the "islands" of slave labor camps scattered across the length of Russia, and "Gulag" being the acronym for "Chief Administration of Corrective Labor Camps") explodes the St. George myth once and for all. Not that it hadn't already been exploded by such books as *The Great Terror,* a scholarly and extensively documented account by Robert Conquest; but Solzhenitsyn's work has a special authenticity: it was written within Russia itself, partly from his own experiences (he spent eleven years in Soviet labor camps, which he survived, as he says, only because most of the time was spent in a special place of detention for engineers, such as he describes in *The First Circle,* where conditions were better than in other prisons) but mostly from the experiences of others—accounts gleaned from other prisoners (usually cross-checked for accuracy) and some from underground publications and other sources which reached him, which he cannot yet reveal without incriminating the sources.

GULAG ARCHIPELAGO. By Aleksandr I. Solzhenitsyn. New York: Harper & Row. 1974. 660 pp. $12.50/$1.95.

His account is devastating. People and places and dates are named; he spares the reader no detail of horror, until from time to time one must lay the book aside in revulsion that such things actually occurred. But in addition to the relentless accumulation of factual details, we also learn firsthand what it feels like to be arrested, interrogated, tortured, sent off in the night to destinations unknown. The impact is overwhelming; and the upshot of the account is that conditions in the USSR have been far more terrible than even in the worst days of the czars.

> If the intellectuals in the plays of Chekhov who spent all their time guessing what would happen in twenty, thirty, or forty years had been told that in forty years interrogation by torture would be practiced in Russia; that prisoners would have their skulls squeezed with iron rings; that a human being would be lowered into an acid bath; that they would be trussed up naked to be bitten by ants and bedbugs; that a ramrod

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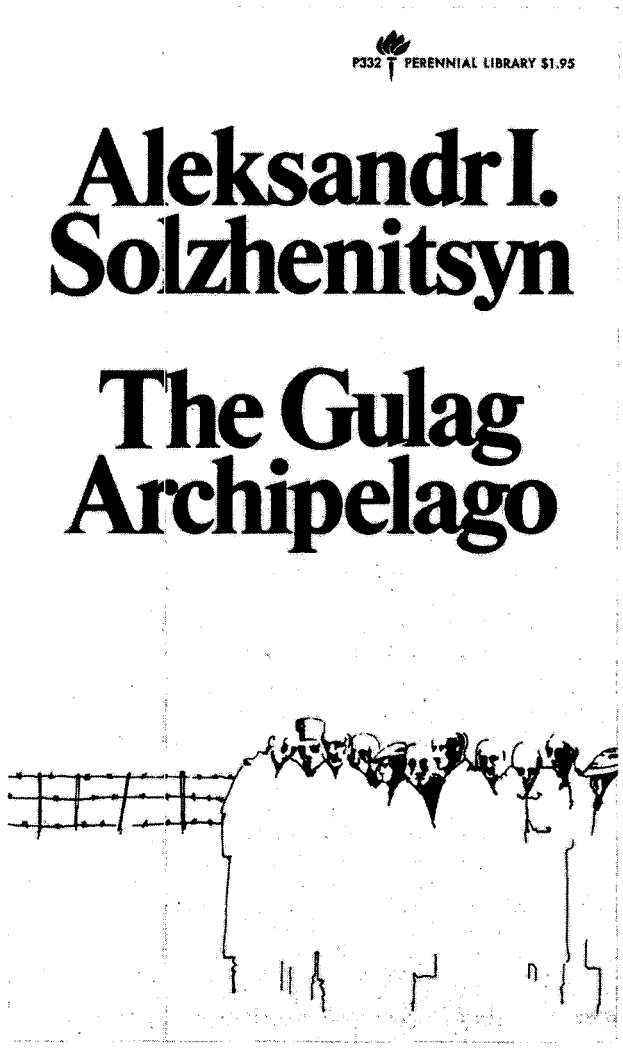


heated over a primus stove would be thrust up their anal canal; that a man's genitals would be slowly crushed beneath the toe of a jackboot; and that, in the luckiest possible circumstances, prisoners would be tortured by being beaten to a bloody pulp, not one of Chekhov's plays would have gotten to its end because all of the heroes would have gone off to insane asylums.

Yes, not only Chekhov's heroes, but what normal Russian at the beginning of the century, including any member of the Russian Social Democratic Workers' Party, could have believed, would have tolerated such a slander against the bright future? What had been acceptable under Czar Aleksei Mikhailovich in the 17th century, what had already been regarded as barbarism under Peter the Great, what might have been used against ten or twenty people in all during the time of Biron in the mid-18th century, what had already become totally impossible under Catherine the Great, was all being practiced during the flowering of the glorious 20th century—in a society based on socialist principles, and at a time when airplanes were flying and the radio and talking films had already appeared—not by one scoundrel alone in one secret place only, but by tens of thousands of specially trained human beasts standing over millions of defenseless victims. (pp. 93-94)

During the long reign of Alexander I, capital punishment was introduced only for war crimes taking place during the campaign of 1812, and capital punishment did not occur even for crimes of state for an entire half century thereafter. The Provisional Government of 1917 abolished it entirely; but under Lenin it was restored in all its force. From mid-1918 to mid-1919 more than 16,000 prisoners were shot—more than a thousand per year in one Leningrad prison alone. Sometimes, when the administration of such vast numbers would have been too time-consuming, victims were taken by the hundreds into barges and the barges sunk with all on board, from the Volga to Lake Baikal.

And what kind of evil-doers were these condemned men? Among them, for example, were six collective farmers who were guilty of the following crime: after they had finished mowing the collective farm with their own hands, they had gone back and mowed a second time along the hummocks to get a little hay for their own cows. The All-Russian Central Executive Committee refused to pardon all six of these peasants, and the sentence of execution was carried out . . . . Even if Stalin had killed no others, I believe he deserved to be drawn and quartered just for the lives of those six peasants! . . . (p. 437)

The agronomist of a District Agricultural Department got a death sentence for his mistaken analysis of collective farm grain . . . The chairman of a handicraft artel that made spools for thread, was sentenced to death because a spark from a steam engine in his artel had caused a fire. . . Ought we to be surprised then that the village lad Geraska got the death penalty? In honor of the spring holiday, he went off to the next village to celebrate; he drank heavily, and with a stick he hit the rear end of the policeman's horse. (440-1)

A streetcar motorwoman of Krasnodar was returning on foot late at night from the car depot; on the outskirts of the city she passed some people working to free a truck that had gotten stuck. It turned out to be full of corpses—hands and legs stuck out from beneath the canvas. They wrote down her name and the next day she was arrested. The interrogator asked her what she had seen. She told him truthfully. Anti-Soviet Agitation—ten years. (p. 74)

SIBERIAN LABOR CAMPS

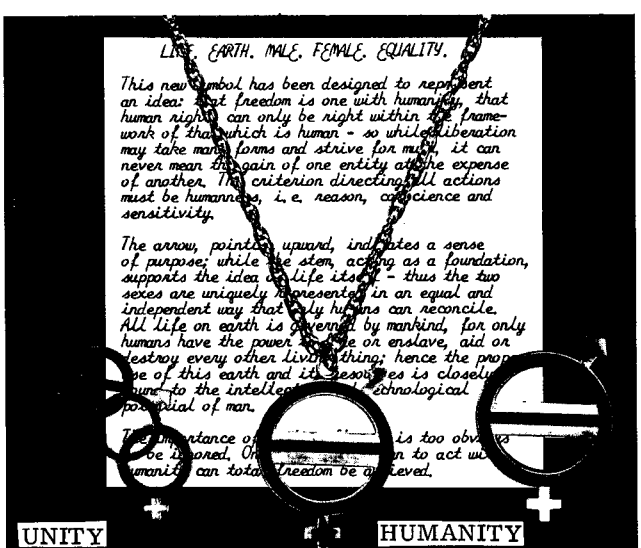
But the book deals not primarily with those who were shot but with those who were imprisoned, tortured, and sent to the labor camps of the archipelago. There were huge waves of these, numbering millions. The 1937-8 wave is the only one known to the outside world, for the trials of some of these men were publicized, and of the few who survived the sentences some were intellectuals who wrote books. But before it came the wave of 1929-30, "which drove a mere 15 million peasants out into the taiga and the tundra. But peasants are a silent people, without a literary voice, nor do they write complaints or memoirs. No interrogators sweated out the night with them, nor did they bother to draw up formal indictments—it was enough to have a decree from the village soviet. This wave poured forth, sank down into the permafrost, and even our most active minds recall hardly a thing about it. It is as if it had not even scarred the Russian conscience. And yet Stalin committed no crime more heinous than this. And after it there was the wave of 1944 and 1946, when they dumped whole nations down the sewer pipes, not to mention millions and millions of others who had been prisoners of war, or carried off to Germany and subsequently repatriated." (pp. 24-25)

Intellectuals were always suspect, and they were arrested and shipped to Siberia—and almost certain death from cold, malnutrition, overwork, or illness—in huge waves. The hardy peasants who resisted forced collectivization of their farms provided good material for Siberian labor—more than five million of them were shipped to Siberia and destruction. Or if someone reports you (truly or falsely) to the authorities, for criticizing Stalin, or for turning off the radio during his broadcast, or for not turning in parents or others who (it is thought) may have made an anti-Soviet remark, you will usually get a 25-year sentence and a one-way trip to the Gulag. Or if you have done nothing at all! Often the charge would be concocted after the prisoner was taken in. If an official liked your wife, he would arrest you, give you a sentence, then arrest her, rape her in prison, and sentence her too, leaving your children to be raised in state orphanages (you would never see them again). On one occasion a prisoner who had received a 25-year sentence was asked what crime he had committed; "None," he replied. "That's impossible," said the official; "the sentence for nothing at all is ten years!"

It is all a matter of chance who gets arrested and sent to the archipelago. "Whether our destiny holds a death cell in store for us is not determined by what we have done or not done. It is determined by the turn of the great wheel and the thrust of powerful external circumstances. . . . You were asleep in your unheated Leningrad room, and the sharp claws of the black hand were already hovering over you. And yet none of this depended on you. Notice was taken of a Lieut. Gen. Ignatovsky, whose windows looked out on the Neva; he had pulled out a white handkerchief to blow his nose. Aha, a signal!" (p. 441) So he was arrested, and tortured until he consented to name his co-conspirators (there were none because there was no conspiracy). At last, to escape further torture, he named some names, and all those named were also arrested and shot.

Those who were shot were fortunate; for those who were sent into the archipelago (which contained an average of 12 million slaves during any given year), the death was only protracted. Prisoners were transported by night in barred cattle cars, crowded so that they could barely stand, were hardly fed the entire time (and providing them with water was too much of a logistical problem—besides, then they would have to go to the toilet), and deposited finally away from cities, out in the tundra, then forced to walk for miles—with a vehicle coming by afterward to pick up those who had fallen dead by the wayside. Often the final leg of the journey northward was in river barges.

> People were thrown into the trough-like holds and lay there in piles or crawled around like crabs in a basket. And high up on the deck, as though atop a cliff, stood the guards. . . . The journey in such a barge was no longer prisoner transport, but simply death on the installment plan. Anyway, they gave them hardly anything to eat. Then they tossed them out in the tundra—and there they didn't give them any-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thing at all to eat. They just left them there to die, along with nature. (p. 578)

Those that did arrive at an encampment found that death was only postponed: it was impossible to work 18 hours a day, with only a cup of gruel to eat once a day, and no winter clothing in 60-below-zero cold, living only in tents, and with no medical attention whatever. They died like flies of cold, malnutrition, disease, and beatings, and less than 50 percent usually survived the first winter. But hundreds of thousands of new prisoners took their places each year. What Solzhenitsyn calls the "Soviet sewage disposal system"—emptying the cities (one-fourth of the population of Leningrad alone in 1935) and the countryside (millions of kulaks, millions of others belonging to ethnic groups that Stalin found "undesirable") of all those who in Stalin's paranoid mind were possible threats to his regime, using them as cheap labor in Siberia as long as their bodies held out, then letting them die by the millions—worked in high gear from 1930 on, and continues to work at the present moment. If they complained that even their few miserable belongings were taken away from them in the camp, they were told, "In camp nothing belongs to you! Here in camp we have communism!" (p. 583) And, comments Solzhenitsyn, "If it was communism, then what was there for them to object to? That is what they had dedicated their lives to."

HYPOCRISY

When I was in the USSR in 1971, there were signs up everywhere, "Free Angela Davis!" But of the monstrous crimes committed under Stalin and his successors—by thousands of trained interrogators who go to a three-year training school (at two to three times normal Soviet wages, paid by the state) to learn the most perfected methods of torture and interrogation, and can arrest anyone at any time for virtually anything—there was not one word. Yet the knock on the door in the night that took a person from his home forever must have touched most homes in the Soviet Union; but they dare not speak, lest they suffer the same fate themselves. All these men, writes Solzhenitsyn, should themselves be arrested and tried. "We will not shoot them. We will not pour salt water into them, nor bury them in bedbugs, nor keep them on sleepless 'stand-up' for a week, nor kick them with jackboots, nor beat them with rubber truncheons, nor squeeze their skulls in iron rings, nor push them into a cell so that they lie atop one another like pieces of baggage—we will not do any of the things they did. But for the sake of our country and our children we have the duty to seek them all out and bring them to trial . . . and to compel each one of them to announce loudly, 'Yes, I was an executioner and a murderer.' " (p. 177) And in the most pregnant line in the book Solzhenitsyn says, "We have to condemn publicly the very idea that some people have the right to repress others" (p. 178).

Solzhenitsyn's main indictment, of course, is of Stalin and the officials of the Soviet Government. But it does not end there. The Allied Powers with whom Russia fought World War II come in for bitter criticism. The main target of Solzhenitsyn's attack here is the agreement between Roosevelt and Stalin providing forcible repatriation of nationals after the war, which in the case of the Russians meant sentences to the Gulag and certain death [see the review of *Operation Keelhaul* in this issue—Ed.]. All prisoners of war, no matter how much they had suffered at the hands of the enemy, received punishment of from ten years in the archipelago to being shot (they could not be permitted to return home to tell others how much better life was in the West). An army of anti-Soviet Russians in 1945, headed by Gen. Vlasov, were willing to die in the Allied cause, to go anywhere and do anything in order to escape from their Soviet prison. But when the American armies marched into Germany, "the Americans greeted them with a wall of armor and forced them to surrender to Soviet hands, as stipulated by the Yalta conference" (p. 259). Along with these troops, Churchill turned over to the Soviet command a Cossack corps of 90,000 men, and "many wagonloads of old people, women, and children who did not want to return to their native Cossack rivers. This great hero [Churchill], monuments to whom will in time cover all England, ordered that they, too, be surrendered to their deaths."

STATESMEN?

Solzhenitsyn finds the adulation in the Western world for Roosevelt and Churchill incomprehensible. "In their own countries Roosevelt and Churchill are honored as embodiments of statesmanlike wisdom. To us, in our Russian prison conversations, their consistent shortsightedness and stupidity stood out as astonishingly obvious. How could they . . . fail to secure any guarantees whatever of the independence of Eastern Europe? How could they give away broad regions of Saxony and Thuringia in exchange for the preposterous toy of a four-zone Berlin, their own future Achilles' heel? And what was the military or political sense in their surrendering to destruction at Stalin's hands, hundreds of thousands of armed Soviet citizens determined not to surrender?" But Roosevelt, as if hypnotized by his ally "good Joe," gave the orders, and his generals carried them out. Yes, Eisenhower too. All except Gen. Mark Clark, who refused to be a party to the mass murder of Russians at the orders of Americans.

In the current flurry of enthusiasm for "detente at any price," it is doubtful that the lessons of history, so indelibly etched on our minds by Solzhenitsyn's book, have been learned. Will as many people have to die for the next mistake of their governments as were the innocent victims of the one that Solzhenitsyn describes? ◻

23 Bylines Rarely Seen

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BFL not only keeps its readers fully informed about newly published books in the fields of philosophy and economics, business, finance and investment, science and history, psychology and political science, education, fiction and science fiction, it also helps to sort out the worthless ones, saving you time and money on dull, pointless titles you might have purchased.

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Here is a brief list to give you an idea of the stature of a few reviews that have appeared in our pages:

Reviewer	*Title and Author*
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Arthur A. Ekirch	/ AMERICAN LIBERALISM AND WORLD POLITICS by James J. Martin ($22.50)
Hans J. Eysenck	/ RACE by John R. Baker ($15)
Henry Hazlitt	/ UNDERSTANDING THE DOLLAR CRISIS by Percy L. Greaves, Jr. ($7)
John Hospers	/ GULAG ARCHIPELAGO by Aleksandr Solzhenitsyn ($1.95)
Robert Le Fevre	/ THE DISCOVERY OF FREEDOM by Rose Wilder Lane ($12/$2.50)
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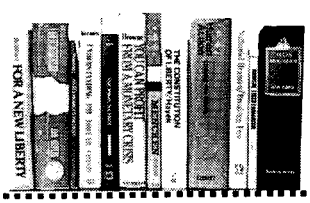

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TAXATION

A CONSPIRACY of IDEAS

Karl J Bray

If you've never been audited, you obviously aren't making any political waves!

This proposition is illustrated by Hank Hohenstein in the best book to date on the subject of taxes, *The IRS Conspiracy.* This new book shows how the political "bully-boys," with the aid of IRS Special Agents and Auditors, have fine-tuned the machinery of coercion to produce fear and quiet the wave-makers. And if you say "it can't happen here", you've been asleep too long, because it *is happening* here.

Beginning with the milder horror stories of legalized extortion, such as the case of John Grismore and the federal judge who told him that "the Constitution is irrelevant in my Court," and going on to cases of men and women who have been totally ruined financially and socially by the tax system, Hohenstein systematically turns the light of cold, moral certainty upon the actions of taxing agencies and condemns compulsory taxation as being nothing more than legalized theft. Mr. Hohenstein dissects, inspects and rejects the premise that the tax-takers are operating in the name of the public good. With total alacrity, he has examined the national premise that "taxation is a necessary evil", found it lacking in moral and practical stature, and rejected it out of hand.

THE IRS CONSPIRACY. By Henry J. Hohenstein. Los Angeles: Nash Publishing. 1974. 307 pp. $7.95.

Given a wide enough reading (it should be available in paperback), this book could do more to revolutionize ideas about government financing than any other book ever written on the subject. And if it is read widely enough, it will change the tax structure of our nation as surely as did the dumping of tea into Boston Harbor in 1774. I predict that *The IRS Conspiracy* will set the standard to which newcomers will aspire as they begin to analyze and reject our carnivorous tax system, and in particular, the income tax. Mr. Hohenstein has left no area or moral premise unturned or unexamined.

Karl J. Bray is an author, tax attorney, candidate for Congress in Utah, and member of the executive committee of the Libertarian Party.

Do you really want to understand the conflict between the 1040 form and the 4th and 5th Amendments to the U.S. Constitution? Or the conflict between tax producers and tax consumers? It is all spelled out in these pages. But by far the greatest virtue of the book is its stand for liberty and property rights based upon natural law. In the chapter entitled "The Noncoercive Society," Mr. Hohenstein discusses the nature of Man, and, like Ayn Rand, links the case for political freedom to its metaphysical roots. It is an enormously lucid piece of writing and justifies the price of the book in and of itself.

The length of *The IRS Conspiracy,* 307 pages, is just enough to give the beginning student of tax theft a working knowledge of the subject. And the bibliography, which is a Who's Who of libertarian thought, contains enough references to interest and challenge those who are well into libertarian readings. The flaws, fortunately, are mostly those of the printer and/or the proofreader: spelling and typographical errors, 14 by my count. Certainly, subsequent editions will correct these problems.

Nash Publishing Company should be highly commended for their courage in publishing this book. I predict that their profits, should the book get wide distribution, will more than compensate for the audits that will surely follow its success. All factors considered, I heartily recommend that *The IRS Conspiracy* be included in every libertarian library. I believe that a talented craftsman in the usage of libertarian ideas has been discovered.

HISTORY OF THE INCOME TAX

What was the initiation rite which motivated the production of *The IRS Conspiracy?* Hank Hohenstein was one of the now famous "San Diego 10" who, in the Spring of 1973 as part of a protest demonstration, were arrested along with John Heck, owner of the Heck Transfer Company, and charged with "forcible rescue of seized property" and "resisting federal officers in the performance of their duty." The protest demonstration, which occurred when IRS Special Agents attempted to seize the Heck Transfer Company without a court order, was the setting in which Mr. Hohenstein and dozens of others found themselves as they peacefully protested a gross violation of "due process."

The whole affair claimed national attention with articles in *Time* and other news journals. The arrests, trials, bargains, dismissals, and appeals have consumed much time and effort, and legal entanglements still

exist for some of the defendants. However, Mr. Hohenstein, the first defendant to act as his own attorney and the first to have the charges dropped against him, has been fully vindicated. Hohenstein's close association with the numerous injustices of the "San Diego 10" provides the beginning of his indictment of the Internal Revenue Service. His thesis that a conspiracy exists to deny property rights and build the machinery of a powerful police state is persuasively argued.

From the contemporary history of the case of the "San Diego 10," the book logically leads us to an examination of history of taxation and of its evolution and growth in the United States. Taxation upon the exports of the Southern States by the industrial North was a major factor in the disputes between the states which resulted in the Civil War; the rapid escalation of the fighting in 1861 led to the creation of our first Internal Revenue Agency in 1862.

And, contrary to the historical theme that holds Abe Lincoln to be "The Great Emancipator", it was he who signed, on July 1, 1862, the bills outlawing polygamy and authorizing the first income tax collection. The first income tax bill was a progressive tax with graduated features and withholding, and as such, served as a model for today's income tax system. The income tax of 1862 even paid collectors a commission on what they collected!

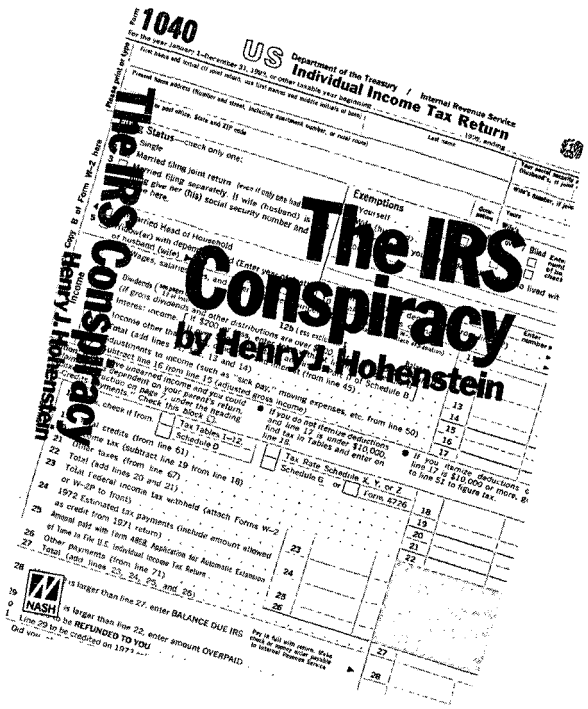
The end of the Civil War ended most of the tax bite, but the precedent was set. In 1894 and 1895, social experimenters revived the progressive income tax as a means to financing a rapidly growing governmental apparatus. The U.S. Supreme Court of 1895—which, in today's terms, would be considered "ultra-reactionary"—promptly struck it down as unconstitutional.

But principle gave way to pragmatism in 1913 when a "tax the rich" fever and prospects for foreign intervention assisted in causing the ratification of the 16th Amendment (Income Tax Amendment). The income tax we are saddled with today was placed on our backs in those dark days of 1913 along with the creation of the Federal Reserve System. (Apparently, bad legislation comes in bunches.)

Today, the IRS employs over 70,000 persons, has an operating budget of over a billion dollars per year, and extracts everything you earn between January 1st and May 15th of each year. And this doesn't count another 25 percent of your income taken by indirect taxes each year.

A CONSPIRACY?

A conspiracy by definition involves two or more persons who plan and/or carry out an illegal scheme to gain values which could not be gained lawfully. Now, what federal agency is the most flagrant violator of the 4th, 5th, 6th, 9th, 10th, 13th and 14th Amendments to the U.S. Constitution? And what federal agency collects more money and accrues more powers at a faster rate than any other federal agency? You get no prize for guessing it to be the IRS. But unlike the books holding forth the thesis that powerful groups of international bankers are conspiring to rule the world, Hohenstein's view is that incorrect philosophical principles—not individual conspirators—ultimately align and direct human activity. In a logical, step-by-step fashion, Hohenstein demonstrates that the Internal Revenue Service is one consequence of the deeper philosophical failures of most 19th Century thinkers.



For the past hundred years the taxpayers of the United States have been conditioned to accept the omnipotent State and, consequently, most have come to think that their rights to liberty and property are creations of the State. Once this pernicious concept has been imbued in the minds of the electorate, little dissent is heard when the state demands that you incriminate yourself each year on a 1040 form. And it is one more small step when the State requires the electorate to keep records for it and turn over those records to an IRS Auditor on demand.

Forgotten is the idea so dearly held by the colonists and early revolutionaries that a person is innocent until proven guilty, and that he cannot be required to furnish evidence of his guilt or innocence. Taxpayers today think nothing of paying the salaries of their inquisitors and tormentors, and even of paying for the jails to which they are sent when they fail to state their true taxable incomes.

But now Mr. Hohenstein has written a book to refute the doctrines and conditioning of the State. In Socratic fashion he asks of the taxpayers: "Would you really permit your children to grow up in ignorance" without state run schools? "Would you really allow a helpless man, woman or child to starve"

without a welfare system run by the state? "And would you really permit the highways to wear away into mud tracks, your telephones and radio communications to fall apart or become clogged with vulgar nonsense? Would you really permit the stagnation of science and the withering of agriculture? Would you, indeed, even resist the fighting of a war—provided it were a war to protect your homeland, family and society?"

The failure of most citizens to entertain and understand these questions is caused largely by their belief that people must be controlled for their own good. But how do the controllers become good enough to control anyone? No answer. And no statist has ever been able to come up with a good answer, because none is possible. Only the individual has the right to ultimately govern his own behavior. And so, the case against taxation really involves the task of proving that people are fit for freedom. When libertarian principles to this effect win in the contest of ideas, taxation will die a natural death.

CONDITION OF THE COURTS

The decay of the sciences of ethics and law is today mirrored by the condition of the courts in the United States. For example, how is it that the U.S. Supreme Court in the late 19th Century could declare direct taxation unconstitutional, and another U.S. Supreme Court, just a generation later, find it constitutionally proper? Obviously, the change reflects altered conceptions of the proper relationship of the citizen to his government, and it further reflects the degrading notion that all citizens are candidates for unlimited plunder at the hands of government. (And sadly, most of those who have challenged the tax system in courts in the last 50 years have suffered economically, as well as legally. For some persons mentioned in *The IRS Conspiracy* the losses have included prison sentences; this, of course, is the possible penalty for pioneer action of this sort.)

By constantly expanding the areas of private business into which the IRS can search and seize, instead of acting as bulwarks against executive tyranny the courts have led the way towards the world of 1984 as described by George Orwell.

The creation of the so-called "tax courts" is the ultimate perversion of the exalted concept of separation of powers; it has resulted as much from judicial default as by executive encroachment. Imagine the justice you will get in a "tax court" staffed by judges hired by the executive branch and unhampered by the concept of "innocent until proven guilty." You end up being prosecuted, judged and sentenced by IRS employees. What a sweet game for them!

But some civil libertarian thought is at last creeping into the courts. And perhaps the most important changes in the amount of personal freedom for all of us will soon come about as a result of court decisions such as *Miranda v. Arizona.* Maybe the day will come in the not too distant future when you'll see the "Miranda Warning" printed on the 1040 form and you'll know that putting figures on it will mean that you are voluntarily submitting to possible criminal prosecution—and making it possible by giving the prosecutor his evidence.

LEGAL AVOIDANCE

The past decade has produced a growing number of news stories dealing with the battle between the tax-takers and the tax-producers. This battle has grown considerably in the last five years due to the courage of people like Phil and Sue Long of Washington State who took the IRS to court in order to make public the IRS's secret rules and procedures. *The IRS Conspiracy* relates the stories of many of these heroes, sung and unsung, who have taken their battles into the courts instead of the streets.

The value of such actions is that a growing number of people are leaving the ranks of the apathetic and are instituting challenges which are cutting into the grey areas of tax law. It is becoming more difficult for the auditor to arbitrarily disallow deductions in those borderline areas. Mr. Hohenstein describes the process whereby you as a taxpayer may climb your way through the maze of administrative bodies until you reach a legal body with some constitutional authority. It is just such climbing and many more such challenges of the arbitrary authority of civil servants which will show the attentive public that there is a gap between what is and what ought to be.

Using the court system is certainly one way to enlarge the scope of libertarian political dissent and in the process gain the attention of the media to inform others of the small dents being made in the superstructure of the superstate. It is probable that the courts and governmental bodies in general will be the last places to reflect libertarian ideas, but a growing assault on the legality of the whole tax system, one statute at a time, is in order and is underway.

A FINAL WORD

From his opening acknowledgement that the "American Revolution has been the only true revolution to occur in the history of the world", to the ending paragraphs in which Mr. Hohenstein says, "It's up to us. To me, and you and all of us. We can have any world we want—or none. The responsibility now is where it always really was, no matter the lies and the circumlocutions; the responsibility is on us, is our own. The road is there. It lies ahead.", the tone and character is consistent: We thinkers and doers set the standards of the world. And now is the time to move civilization upward one more notch . . . move it upward by freeing people, once and for all, from the greatest social failure extant in our world: coercive government. Hank Hohenstein has a mind that operates like a scalpel in the hands of a skilled surgeon: it cuts and exposes cancerous tissue. I predict the operation will ultimately be successful. ◻

APRIL GAMESMANSHIP

Eugene Guccione

"April is the cruelest month, breeding lilacs out of the dead earth, stirring memories and desires, mingling dull roots with spring rain."

Unlike T. S. Elliot, I've never been choked up about the cruelty of mingling dull roots with spring rain. But I have and still do grievously suffer every April as stirring memories of my gross income before withholding surge in my manly bosom, while passionate desires of joining a taxpayers' revolt ascend to a frustrated climax. Yes, April *is* the cruelest month; and the knowledge that I'm not alone in my misery instead of giving me comfort brings expletives to my lips.

THE APRIL GAME. By Diogenes. Chicago: Playboy Press. 1974. 221 pp. $1.25 (pb).

Why do I get more white hair in April? It's pure, undiluted fear, compounded by the ego-shattering suspicion that either my intelligence has inexplicably dropped to a moron's level or English has suddenly become the same foreign language I struggled to learn in my first months in America. This year, for instance, I decided to file my own income-tax return—but gave up the effort when reading a pornographic little booklet "New York Income State Tax Forms and Instructions for Filing," which was filled with sentences such as:

> The return for the period before the change of residence must include all items of income, gain, loss or deduction accrued to the taxpayer up to the time of his change of residence, including any amounts not otherwise includable in the return because of an election to report income on an installment basis. Stated another way, the return for the period prior to the change of residence must be made on the accrual basis whether or not that is the taxpayer's established method of reporting. However, in the case of a taxpayer changing from nonresident to resident status, these accruals need not be made with respect to items derived from or connected with New York.

Perfectly clear, isn't it?

So, it was with enormous relief that I learned from *The April Game,* written by Diogenes (a tax man who uses the pseudonym in self-protection), that no one fully understands tax literature: "there is no one man or woman in IRS who knows the whole tax law," says the dear man, adding that "you could probably pick any ten of us at random and the entire group would score less than 100 percent on a test dealing with the law's finer points."

What is particularly irritating in *The April Game* is the author's attitude to "taxpayers' cheating." Everybody cheats, he says, and he gives many examples—some of which are hilariously funny, others pathetic, and a few positively brilliant.

As a good IRS employee, who's so fond of IRS itself that he confesses that "it would be nearly impossible to find a more amiable employer," Diogenes has been brainwashed into believing that government has either by Divine or Congressional law an inalienable right and a priori claim to the fruits of your labor. Diogenes' implicit premise is this: since what you earn—or a good portion of it, anyway—doesn't belong to you, you are cheating the government of its rightful share whenever you succeed in avoiding or (perish the thought) evading your tax burden.

With such a premise, it's not surprising that Mr. Diogenes' attitude to "cheating" betrays a nauseating mixture of self-righteous moral indignation, contempt for people, and profound cynicism about human nature. Diogenes *knows* that voluntary taxation is a fraud and a sham: he admits that no one pays taxes voluntarily and that no one would pay a cent (particularly today) unless *coerced* to do so. And yet, he moans about the fact that people "cheat." Like Dr. Stadler (of *Atlas Shrugged*), Diogenes' plea is: what can you do when you deal with people?

Let's hope that Mr. Diogenes, who's a decent man way down (way down *deep*), will learn one of these days that morality is a code of values accepted by choice—and that when people aren't given any choice, there is *no* morality. And further, if you aren't offered any choice, but want to survive, you'd be well advised to lie your head off. But I can just imagine what Diogenes' reply would be: "Oh well, that's theory. In practice, how would a government obtain revenues without taxation?" I wonder if he would grasp a reply of the type: "Ever heard of the old-fashioned or radical idea of freely exchanging value for value, of paying for goods and services as you want them when you want them?"

TAXATION IS THEFT

Taxation rests on the notion that the use of force for some alleged good end is moral, and that your life (from January to May of each year) doesn't belong to you but to government. It's the old game of fear and guilt. Fear if you don't pay, and fear if you do: you

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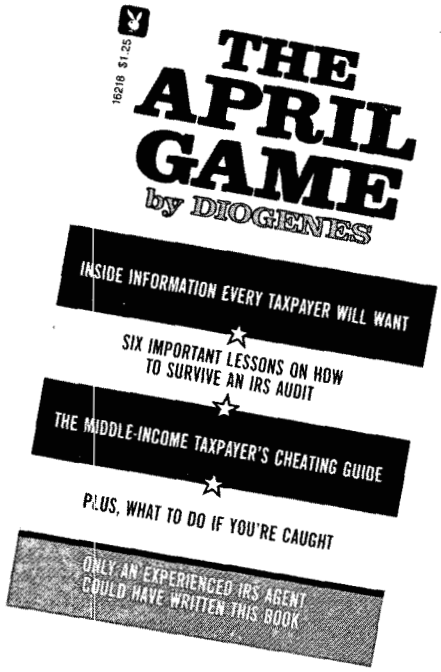
might have to pay more. Guilt if you "cheat" and, if you don't, the gnawing suspicion of being the only sucker in town.


16218 $1.25
THE APRIL GAME
by DIOGENES
INSIDE INFORMATION EVERY TAXPAYER WILL WANT
SIX IMPORTANT LESSONS ON HOW TO SURVIVE AN IRS AUDIT
THE MIDDLE-INCOME TAXPAYER'S CHEATING GUIDE
PLUS, WHAT TO DO IF YOU'RE CAUGHT
ONLY AN EXPERIENCED IRS AGENT COULD HAVE WRITTEN THIS BOOK

Do I fear the IRS? Yes, just as I fear being run over by a truck. I feel fear because, though I pay what the tax man says, the IRS can still open my mail, tap my phone, seize my bank account, ransack my office and padlock it—and there isn't anything I can do about it, the Constitution notwithstanding. But at least, I've never felt guilty, nor have I ever felt to be a sucker. Anyone who experiences either, deserves it.

The April Game is a game between you and an armed mugger--with a mugger who becomes indignant and accuses you of cheating if, after his having taken your wallet, you don't run after him to say that he's forgotten to take the change that's still in your pockets.

Obviously, this is not a book to read for its moral philosophy or political economic theories. But it *is* a book that can give you valuable insights into what makes the revenuers tick—and how best to deal with them when you must do so. Two chapters in particular are worth careful reading. "How to be Audited and Come Out Alive" tells you what it's like to go through an audit—from the point of view of the IRS agent who, after all, is human too, and has weaknesses you can exploit. The audit process is *in fact* a bargaining situation, and Diogenes candidly outlines winning—and losing—taxpayer approaches to bargaining. "The Middle-Income Taxpayer's Cheating Guide" reviews some of the more common methods of "cheating" the IRS, pointing out which ones are hardest for IRS to discover, and why. Despite Diogenes' basic loyalty to the system, he provides valuable data between the lines, for those seeking to preserve more of their income from confiscation. Diogenes also tells you how to use secret bank accounts, describes IRS investigatory practices and gestapo tactics, and explains the IRS's use of paid informers.

There's only one problem with all this useful information: try and find it! Although the hardcover edition was published in 1973 and the paperback in 1974, both editions are already "out of print" according to the publisher, and although practically sold out, are apparently not going to be reprinted. Could it be that a certain government agency has passed the word that this book is a no-no? ◻

JONATHAN AND MARY

Mary, unlike Jonathan, is obsessed
with footsteps. Floating on the cold,
stone hour, she feels them skim
the aching floor and echo down the
stairwell. Stumbling on her foreign feet,
perhaps tonight she will catch them.
Perhaps she will chase them to the street . . .
and not return to papered rooms
and dust beside the door.

She feels them only once each night
and lies awake thereafter (meaning to snatch
them up as they return). They come but
once, the rapid steps, soft
on floorboard, skinning the stair.
And she grows old with the passage of footsteps
raising dust by the door.

Jonathan calls her a proper fool,
to jump, and run like a frightened girl
after what is never there; for indeed,
He *never hears them.*
Which means, of course, they cannot be.

Wendy McElroy

CHILDREN & SCHOOL

THE BLACKBOARD PRISON

Thomas Johnson

Since it was firmly established in mid-nineteenth century America, compulsory schooling has been a subject of argument and debate. Its proponents claim it is necessary since there will always be parents who do not provide their children with even the minimum of education; other proponents insist that children, particularly children of immigrants, must be Americanized, and that this can only be accomplished by forcing them to attend public schools where they will be molded into "good" citizens.

But opponents of compulsory schooling are quick to point out that it is a rare parent indeed who refuses to assist his progeny in attaining the basic tools of learning—reading, writing, and arithmetic—and thus it is absurd to have a compulsory schooling law that applies to all. They also point out that it is definitely not the function of government to mold children into the type of citizen approved of by those currently in power. Allowing each individual the right to develop into his unique self, they argue, would lend great diversity to the nation and thus enhance its well-being.

THE TWELVE-YEAR SENTENCE. Edited by William F. Rickenbacker. LaSalle: Open Court Publishing Co. 1974. 236 pp. $6.95.

In order to shed new insights on this most controversial of subjects, six individuals, mainly of the legal or scholastic professions, prepared papers for a symposium sponsored by the Institute for Humane Studies and the Center for Independent Education, held in Milwaukee in 1972. These papers have now been incorporated into *The Twelve-Year Sentence,* and Benjamin A. Rogge has provided a brief introduction in which he sets the tone of what is to come: a multi-factual analysis of the historical, legal and social aspects of compulsory schooling.

Unfortunately, as Rogge points out, "These essays do not resolve the still unanswered questions of compulsory schooling." But what you will find is "a series of mature and scholarly explorations of the possibility that the emperor of compulsory, government-operated schooling is in fact riding his horse before the public in a state of absolute nakedness. One man approaches the topic with the materials of history, another the law, or economics, or professional education, or some mixture of all of these. Some come at it with the value sets and presuppositions of the conservative right, others of the anarcho-capitalist or traditional Liberal or New Left positions. . . . Most importantly, you will find here some challenging and thoughtful and intelligent conversation on the whole set of public issues raised by the general topic of compulsory schooling."

Thomas Johnson is a professor of biology at Mary Washington College in Fredericksburg, VA. He is the author of The Declaration of Educational Independence.

ASSIMILATION

Murray Rothbard presents an historical sketch of the development of compulsory schooling in this country along with data concerning when compulsory schooling actually began (with the Protestant Reformation). Rothbard asserts that "the educationists of the mid-nineteenth century saw themselves as using an expanded network of free public schools to shape and render uniform all American citizens, to unify the nation, to assimilate the foreigner, to stamp all citizens as Americans, and to impose cohesion and stability on the often unruly and diverse aspirations of the disparate individuals who make up the country." He also argues that forced public schooling was an attempt to eliminate private schooling, a point supported by other scholars and legal actions.

George Resch, since 1970 a research fellow at the Institute for Humane Studies, emphasizes the vast diversity of the human being in his essay "Human Variation and Individuality". As the editor notes, he "points toward the need for a free, pluralistic school system in a pluralistic culture, as the best way to guarantee maximum opportunity for each child." Resch draws on a wide variety of studies which clearly substantiate the uniqueness of each individual, a substantiation which, by this time in history, should no longer be necessary. But since there are many who apparently refuse to accept the overwhelmingly abundant evidence of the marked individuality of each human, and madly proceed on their egalitarian way, Resch's essay provides a welcome stumbling block along their path.

LEGAL DECISIONS

Probably the most penetrating and important essays to appear in *The Twelve-Year Sentence* are those of attorneys Gerrit Wormhoudt and Robert Baker. In their essays, "Supreme Court Decisions"

and "Statute Law and Judicial Interpretation," respectively, we encounter a discussion of the most important Federal and State legal cases involving compulsory schooling and can thus see what trend seems to be occurring in the courts. In this regard, Wormhoudt writes that "when consideration is given only to the results in such cases, it can be concluded that compulsory schooling has not enjoyed a friendly reception from the Supreme Court thus far." But he insists that "so long as the court maintains that parents are constitutionally assured the primary role in the upbringing of their children, any attempt by a government-created educationist establishment to diminish that role remains subject to challenge before our highest court. In nearly every instance, when the court has been confronted with governmental trespasses against that role, individual liberty has been vindicated."

In addition to remarks concerning legal decisions, Gerrit Wormhoudt contributes discerning comments dealing with the censorship practiced by school boards and other officials who determine what texts will be approved for use in the schools; he notes that "whoever controls the public school structure is in a position to manage the shaping of the minds of all but a handful of our children;" and comments that "members of the teaching profession are the only certain beneficiaries of public expenditures for schooling." He also points out that "formal schooling of children today is almost entirely a product fashioned by an elite group that has a tremendous stake in ever larger public school budgets, but very little accountability to anyone for what happens in the name of public schooling." This matter of accountability is of tremendous importance, and the fact that teachers and school administrators have little or no accountability to their customers, the students and parents, should be exposed at every opportunity.

I was particularly struck by Robert Baker's opening sentence in his essay "Statute Law and Judicial Interpretation". It reads: "The subject of schooling is not mentioned in the United States Constitution and there is no right to be educated recognized therein." How few people even realize that the word education does not appear in the U.S. Constitution and that the framers of this document intended to leave the matter of education in the hands of the parents (and some argue in the hands of the state, but certainly not the federal government). The absence of any mention of education in this document should be argument enough to substantiate a legal claim that the federal government should have nothing whatsoever to do with education, either directly or indirectly. But, alas, what we find today is an ever greater role of Uncle Sam in usurping the rights of parents in seeing to the education of their offspring.

CHILDREN'S RIGHTS

After discussing the nature, content and functioning of the compulsory school laws, Baker concludes that, "on their own terms, the compulsory schooling laws manifestly do not work. They are demonstrably either useless or pernicious, engendering far more compulsion than education," as Baker proceeds to demonstrate. But I was most intrigued by his discussion of the rights of children. He states that "I have not mentioned the rights of children previously, because the compulsory schooling laws take no account of those rights whatsoever." And yet he points out that "the Supreme Court . . . has reaffirmed the principle that children are 'persons' to whom the Bill of Rights applies."

But, in fact, regardless of what the Supreme Court has stated, children, particularly in schools, are completely devoid of legal rights in the United States. Since schools are operated as miniature dictatorships in which the school authorities give out the orders and the victims, the students, must unquestioningly follow these orders (under the threat of a low or failing grade, a suspension or expulsion, the withholding of a degree or diploma, or even a jail or reform school sentence) there is no question whatsoever that legal rights are totally lacking in these institutions, just as they are also and always lacking in non-scholastic dictatorships.

Not only are rights completely absent in schools, but, as Joel Spring, author of another essay in this book entitled "Sociological and Political Ruminations," points out, the schools (according to Edgar Freidenberg, author of *Coming of Age in America*) teach students that they have privileges but are without rights. "This was fostered within the school by an administration which granted privileges with the attached reminder that if they were not used responsibly they would be withdrawn. Students were socialized to accept that in the United States people did not have irrevocable civil rights but had privileges granted through the good will of a benign government."

That youths between the ages of 6 and 17 should be forced, by way of compulsory schooling laws, to attend an institution of learning is in and of itself a tragic miscarriage of justice. But that these same youths should be forced into a dictatorial environment where they have no rights and no way of escaping this tyranny (without being placed in another, non-scholastic, jail) is unquestionably one of the greatest crimes of our times. How can we expect young adults to gain an understanding of freedom, and the responsibilities which go along with this freedom, when for many years of their early lives they are incarcerated in scholastic prisons where everything is done by means of permissions and orders; where they can gain no positive and healthy mental development allowing them to accept and deal with freedom of choice since they have spent their whole time, not choosing, but obeying the commands of others?

That freedom is rapidly vanishing from this coun-

try can be readily understood when one realizes the devastatingly irrational nonfree situation in which children are placed. School does not provide them with the guidance that is necessary to become self-responsible, decision-making adults. Rather, it provides them with a thorough training in subservience, in obedience, in hypocrisy, in collectivization. As John Holt so aptly points out, children are trained in school for "practical slavery."

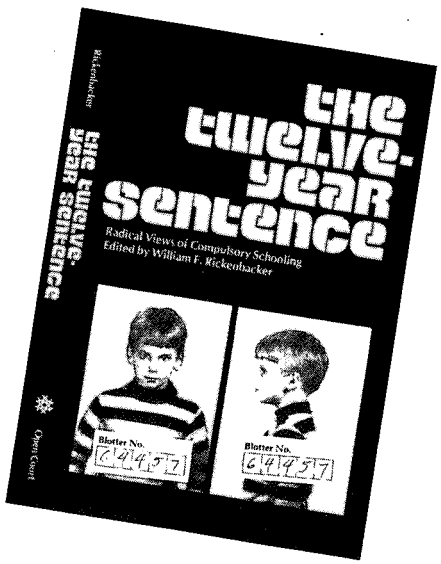
Among Joel Spring's other sociological and political ruminations, one of the most important is his observation concerning certificates granted by institutions of learning. "Issuance of diplomas and degrees is one of the most important means by which mass schooling maintains its social power. [And, as I noted in *The Declaration of Educational Independence,* "the degree is the single factor without which the educational dictatorship would collapse."] With the complete triumph of compulsory schooling in the twentieth century, the school as a social sorting machine has become the central certification system for entrance into different occupational levels. High school and college diplomas become standard requirements on job applications." So even if students were not compelled to attend these scholastic dictatorships they would be severely penalized in the job market if they chose not to do so. Compulsory schooling, along with the need for a diploma or degree, makes attending these scholastic prisons a "must" for almost everyone.

THEORETICAL BASIS

Although all of the contributors to *The Twelve-Year Sentence* argue in favor of the complete or almost complete elimination of compulsion in regards to attendance at school, none of them formulates a logically-derived theoretical position on compulsory schooling laws. And yet this is an extremely important matter, for as long as students are forced to attend schools where their rights are obliterated, we must all suffer the consequences.

Children, as dependent human beings, possess rights which are not held by older independent adults. Since a child is born, and remains for many years, in a physical and mental condition that will not allow him to take the action necessary to provide for his own needs, he does have the right to actual goods and services which are necessary for his survival—goods and services which must be provided by those individuals who, by their own free choice, brought the child into existence. Thus a child does have the right to food, clothing, housing, and any other essential items which are necessary for his physical survival.

But a child develops not only physically, but mentally. And since it is very important, but not absolutely essential, that a child know how to read, write, and use numbers (although one can think of instances when the child's life might actually be placed in jeopardy if these mental tools are absent), he should have the right to schooling in these subjects—schooling provided by the parents or anyone else who voluntarily wishes to afford it. The state does not have an obligation to teach children, any more than it has the obligation to feed, clothe or house them. The state only has the obligation to see that the responsible parties, the parents, provide the needed requirements, both physical and mental, of the child. The state has the responsibility to see that the special rights of dependent children are protected. And if the parents should fail in providing these requirements, they should be forced to do so, and if the parents should be killed, or disabled, and thus unable to provide these needs, the latter should only be taken care of by voluntary action on the part of interested individuals or private organizations.



LAW OF SCHOOLING

The appropriate law concerning the schooling of children should be a criminal law, and not a preventive law as it now stands. The law should state that if, on an individual basis, parents should fail to provide the minimum schooling in the three R's—whether by means of parental tutelage, a hired private instructor, a purchased course of instruction from a school or business, etc.—that they can be prosecuted for this criminal act of negligence and required to provide such instruction *by whatever means they so choose.* But the government definitely does not have the right to force a child into a scholastic prison for a lengthy period of years in order that he might learn (which he often does not), just as the government does not now force children into public eating establishments if their parents should fail to provide them with food (although neglected children are now taken from parents and placed in foster homes, at public expense, and there fed). *There should exist no preventive compulsory schooling laws.*

One regrets the absence of a clear statement on the fundamental invalidity of compulsory education laws, but *The Twelve-Year Sentence* does provide one with

a most stimulating analysis of the subject of compulsory schooling and gives invaluable data concerning the relevant legal cases. In addition to the essays, the book contains a Legal Bibliography listing many of the most important cases involving compulsory schooling, as well as a General Bibliography of books and articles which treat the theory, history and economics of compulsory schooling. It is a book that one will not just read with interest and then set aside, but a work that will serve as an important reference source to all who are vitally interested in the plight of children and the establishment of a free society. I am most pleased to have *The Twelve-Year Sentence* in my library. ◻

PUTTING A HALT TO (SOME OF) HOLT

Marty Zupan

Children ought to be able to divorce their parents —and vice versa. There ought to be some way out when personality clashes, or, less neutrally, the disharmony between good and bad people, becomes intolerable for the parties involved. After all, blood or genes are no guarantee of meshing.

Having thought of this proposal before, but never hearing it discussed, it was with some anticipation that I set out to read and review John Holt's new book. Given its title, it appears that Holt has jumped on the liberation bandwagon with a new, particularly inarticulate, and seldom listened-to minority. Alas, that appearance is only partly right. It can be a good thing that the issue of rights and freedom is being taken up on another front, but when the case is made badly it is probably worse than silence. Once the women's lib movement becomes one of demands for such "rights" as freebie day care centers, the issue of freedom and rights is undermined. And so it is for the most part with John Holt's recent work.

ESCAPE FROM CHILDHOOD. By John Holt. New York: E. P. Dutton Co. 1974. 286 pp. $7.95.

CHILDREN'S RIGHTS?

Early in the book Holt lists the rights he thinks children ought to have. Briefly they are: the right to choose one's own guardian or, alternatively, independence; the right to legal status equal to that enjoyed by adults (including ownership of property, financial responsibility, signing of contracts, and legal responsibility for actions); the right to vote; the right to control one's own education; the right to work for money; and the right to receive from the state a minimum income equal to that received by adults. (As Holt conceives of these rights, children should be able to "pick and choose" from them. Thus, for example, depending on the desired arrangement, a child might declare legal independence and then be held responsible for criminal actions, or, if he does not make that choice, his parents would be responsible.)

Unfortunately this list of proposed rights is the extent of Holt's contribution to clarifying children's rights, and it is a contribution only in that it is somewhat novel, tradition-breaking. This is unfortunate because the issue of children's rights *is* worth serious consideration. Not only do the legal implications in this area need careful thought, but the *case* for children's having rights needs to be made. So it is with dismay that one recognizes an ostensible treatment of these issues by a widely read and quoted author to consist, at best, of trivia, and often of serious error. If you go for anecdotes about children's adventures and misadventures and teachers' experiences in the classroom, there is much for you in this book. But if you look for defense of individual freedom on yet another front, this is not the place to find it.

It would be unfair, of course, to object that Holt has not written a scholarly treatise on the subject. His book is admittedly intended for popular consumption. But that does not excuse its oversupply of standard fare. All the "ills of modern society" are analyzed in terms of the platitudes of modern society—"alienation from work," family life an invention of "the bourgeoisie," advertising forcing consumers to buy, physical beauty the god of our culture, if only ours were a *humane* society . . ., etc. As if to pre-excuse his own approach, Holt says in the first chapter: "[P]eople are not changed or won over by being made to see that their ideas are foolish, illogical, or inconsistent" (p. 22). Perhaps it is safe to conclude then that Holt will not be convinced by what follows. But for the rest . . .

Problematic at a basic level is Holt's talk of "the rights children *should have.*" It is nonsense to speak of rights that "should be" *had;* even if simply a matter of careless thinking or language, such phraseology turns out to be quite dangerous since it gives a boost to those who do believe that rights are merely privileges granted by those in power (usually for a dear price).

With this behind us, let's consider why Holt thinks the rights listed should be "had" by children. He starts from an impressionistic picture which identifies being a child as "being wholly subservient and dependent, . . . being seen by older people as a mixture of expensive nuisance, slave, and superpet"

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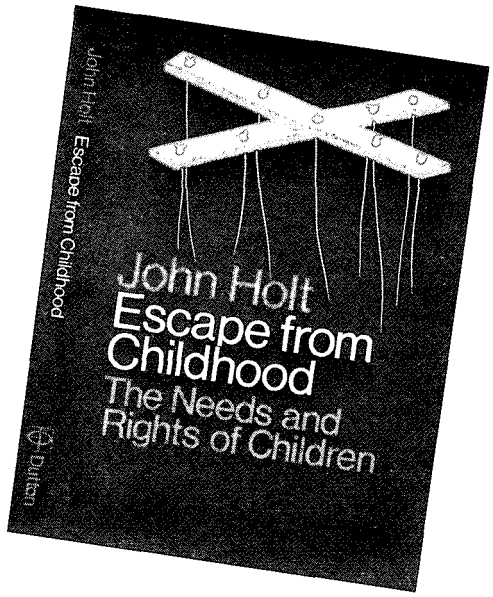
(p. 18). A second point, to which he returns throughout the book, is that because "modern life is so complicated" young people need access to more adult roles than are exhibited by their parents. And finally, Holt complains that it is too difficult to move out of the artificially maintained status of being a child. Wouldn't it help, he suggests, to reduce the distinctions between childhood and adulthood?

Stripped of the trivia and unrealism about childhood, Holt's point might be put this way: Some children are capable, competent, and responsible enough to skip to adulthood, to assume independent status. They are now effectively prevented from doing so in any significant way by laws prohibiting their working for wages, owning property, signing contracts, etc. So the laws should be changed to provide those children who want to exercise such options the opportunity to do so. But none of his dubious points about the state of childhood support this; e.g., I would wager that those children who would so choose, and could demonstrate the needed competence (which might be rightfully required by the legal provisions), would not be children who are "wholly subservient and dependent." Holt's point reduces to one touted in many available advice-to-parents books—allow your children to assume responsibility, to exercise choice when that is feasible. And this is a point about both human psychology and moral education, in the sense in which the latter is meaningful.

HUMAN RIGHTS

But a defense of children's rights cannot be built on the state of modern society, child psychology, and so forth. Rather, if there is a defensible position, it must rest on a theory of *human* rights. Then what needs discussion, not that it will be easily resolved, is what constitutes being human, what constitutes being (only) potentially human, and whither the twain might meet. What Holt seems to do—and this is difficult to sort out from his tales and common sense opining about childhood—is to emphasize the extent to which children are or can be as competent as adults. There are two problems here. First, part of this point rests on branding most adults as mediocre; then of course it is easy to establish that children are equally (in)competent. A case in point: children should not be denied the right to vote for not being informed about political issues, for surely voting adults do not shine in this realm either. The second problem is Holt's emphasis on similarities at the expense of blurring the evident differences. Yet he cannot manage to carry this through. A good example surfaces in his discussion of the right to work. There he belabors children's lack of foresight, unawareness of the consequences of their actions, and need for and delight in fantasy. But aren't these just the reasons people have for not hiring children? Even if the law permitted it, wouldn't prudent businesses keep away from most kids? Again Holt's points are psychologistic; children like to (do some kinds of) work and when they want to help out they should be encouraged. But his own emphasis on *what* kinds of work they like and are willing to do obviates his decrying the "tragedy" that young people are not hired extensively in the labor force.

I will not take up each of the rights Holt proposes children should have. I happen to agree that children should be permitted by law to engage in most adult activities, although I do not agree with his arguments for this. In fact, it is often impossible to figure out why he thinks children should have such options. For example when discussing work, he paradoxically demeans it. He is at pains to allege that the work people do (read: "are forced to do") is monotonous, undemanding, boring, stupid, even destructive. Perhaps this is why he emphasizes fantasy work when it comes to children.



Even more distressing than his arguments for certain rights are the means he proposes for opening up children's options, for he ends up cutting away the ground he stands on. When it comes to hiring young people, he is enamored of the living-room economic conclusion that "there are many more people around than jobs," and is equally enamored of its caucus room solution: "We are not likely to give young people the right to work at all in a society which, like the U.S. in 1973, tolerates massive unemployment and poverty. A country would have to make a political decision, like Sweden or Denmark, to do away with severe poverty and to maintain a high level of employment . . . ." (p. 19). Needless to say, he never examines the effect on employment, *particularly among the young,* of such political decisions as minimum wage laws. And he conveniently ignores the severe problems now surfacing in Sweden and Denmark.

MINIMUM INCOME

In general Holt's theses about economics and politics are amazingly unconsidered. And this brings me to a proposed "right" which bears particular consideration—that old minimum income song and dance. This is the one "right" Holt believes children should have which adults do not now have, so he spends some time defending it per se. And of course he becomes mired in devastating inconsistencies. His basic reasoning is that, going back to the "fact" that there are more people than jobs, "the right of everyone to choose to be independent can hardly be fully meaningful except in a society that gives everyone some guaranteed minimum income" (p. 221). You see, if someone is dependent on an employer for support, talk of rights or independence is unrealistic because the employer "is going to feel he has the right to tell them what to do" (p. 221). Question: *does* the employer *have* such a right? In any case, if rights and independence require that one not be beholden to a supporter, how can they require that one receive a minimum income "from society"? For then one is dependent on other jobholders, greater in number and further removed from one's personal life, but just as dependent. At this point Holt engages in a gross sleight of hand. Admitting that "There is no use telling the state to guarantee what it does not have and cannot provide," e.g., good homes for children, he goes on to assert that since "the state has money" everyone has the right to a guaranteed minimum income! (p. 150). It is scarcely believable, but quite true, that nowhere in his book does Holt ever pause over where that money comes from. This omission makes a shambles of his inclusion of the right to property.

The issue of "not enough jobs" and minimum income also enters into his proposed solution to the acknowledged shortcomings of public education. The solution is alternative educational structures, but not enough have cropped up. According to Holt there are now many people who would like to work in such settings but cannot find jobs there. Solution: if everyone had a minimum income these people would be hired. Again he never considers what people could do for themselves and their children with moneys now taken from them and poured into compulsory ventures.

INDEPENDENCE

The whole issue of minimum income undermines one of Holt's best points. He is dismayed about people's increasing tendency to rely on " experts" to solve their problems. "The trouble with modern man is that he has made him self dependent on institutions that he can neither know or control" (p. 63). Although Holt has a good point, his expression of it rails more against the division of labor and the institutions of a market economy than the biggest culprit upon which people have become dependent, namely the State. And here he falls into one of today's commonest avante-garde contradictions: glorification of pre-industrial life, yet grave concern about poverty.

In any case, as Holt correctly observes, most people *can* manage their lives better than anyone else could, however expert. He thus insists on the right of individuals to *choose* to be helped. Characteristically, however, he never mentions the concommitant right of individuals to *choose to help.* Yet his point on the one side is worth quoting at length; referring to a familiar story he says:

> [W]hen the traveler was healed and well, the Good Samaritan let him go on his way. He did not tell him he could not travel because it was so dangerous or because obviously he could not take care of himself. He did not make himself a permanent protector of the traveler. He did not make a business or career or vocation out of protecting all travelers. He helped because, before his eyes, he could see someone who at that moment needed help. Otherwise he had other things to do [pp. 78-79].

Later he adds, "The only way we can fully protect someone against his own mistakes and the uncertainties of the world is to make him a slave" (pp. 85-86). Yet this is the precise goal and consequence of all welfare legislation. How can Holt fail to apply such excellent points to his own proposals and conclusions?

In fact, the bulk of Holt's book is enough to make one cringe, either for its triviality or its blatant incongruity. Even most of his insights are only tangential to his main discussion, although they shouldn't be, as urged above. In the end Holt is at his best on the issue of humane attitudes and enlightened ways of dealing with children. On the other hand, this kind of discussion is common fare today in the proliferating pop books on psychology and child care. On his only unique issue—rights—Holt, unfortunately, has little of value to contribute. ◻

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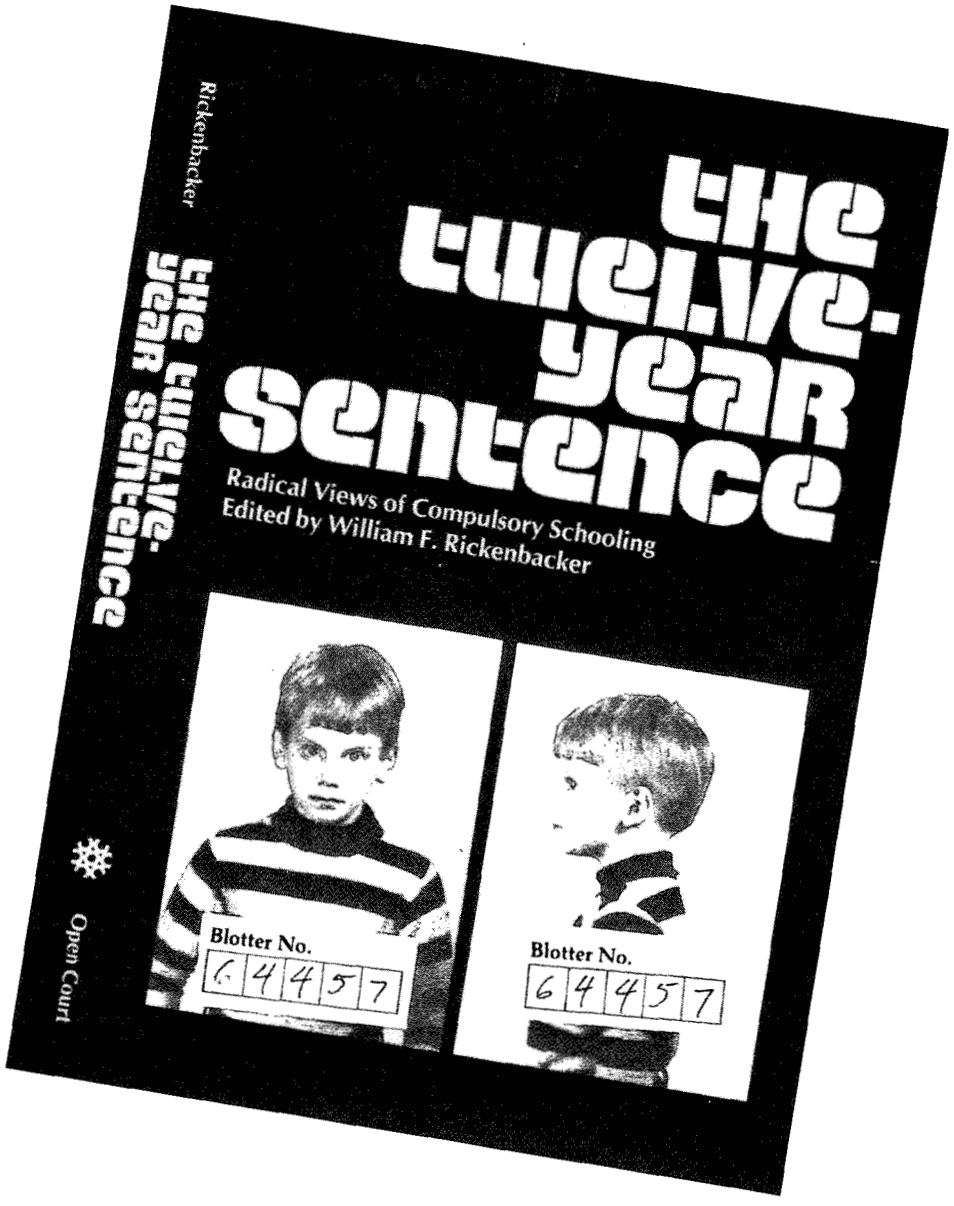
are you alone
waiting
for the day to break, scattering infinitely
small; so that you may take the pieces
placing them next to each other
and may think to reach for glue
so you may stick them together again
before you sweep them up like so many
redundant friendships and dump them in the rubbish

and let night in around
you waiting alone.

Rudolph Laubscher



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Compulsory schooling provides jobs for teachers and secure positions for school administrators, but does it produce quality education? The contributors to this volume say no: at best it is simply a means for the mass production of educational mediocrity.

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This is a book for beleaguered parents, educational dissenters, and libertarians. The inclusion of extensive legal and general bibliographies also makes it an invaluable tool for scholars, lawyers, and judges.

POLITICAL ECONOMY

Galbraith's Public Purpose

J M Cobb

With the publication of this volume, John Kenneth Galbraith has completed his trilogy which began with *The Affluent Society* in 1958 and continued through *The New Industrial State* in 1967. Because his writings strike a deep chord of agreement among the intellectual class in America, England, and possibly throughout the world, Galbraith deserves to be taken very seriously by advocates of laissez-faire economic policy. The ideas which he creates and defends are important not only because they are held by a powerful political constituency—and therefore must be answered—but also because so many observers must see *something* in common; perhaps there is some empirical truth in his arguments. This reviewer is of the opinion that there is some empirical truth in his arguments, but that Galbraith has generalized from a specific case to the economy and society as a whole. By over-generalizing, Galbraith weakens his case; but where his observations are true, we must consider what to do about the problems.

What is the major problem? Galbraith calls it "the planning system," which he argues has supplanted the free market in the modern industrial society, taken over the apparatus of the State for its own profit, and generally proceeded to run the world as a feudal barony. Wouldn't you be alarmed if you thought this were true? Galbraith's intellectual constituency sincerely believes in this conspiracy theory. We can ask ourselves: is this version of the conspiracy theory any more or less true than the John Birch Society's conspiracy theory ("the insiders, bankers, planners") or the older theories—implicating the Catholic Church, the Jews, the Masons, or the Communists?

John Kenneth Galbraith is an educated and an urbane man. He is not given to ranting, nor to unsophisticated statements. To the extent that he exercises this self-restraint, he will not be discredited as a crackpot. To the extent that his observations agree with the average reader's observations, he will be persuasive. His advertising agency describes his verbal talent: "Galbraith, as may be expected, presents his powerful and even revolutionary analysis in a style that is disarmingly elegant and witty." Thus also, to the extent that he is alliterative and subtly rhetorical, he will be seductively persuasive—and soon you, too, will start to see "the planning system" everywhere you look.

J. M. Cobb is employed as the Chief Budget and Fiscal Officer of the Industrial Commission of Illinois. He has published a number of articles on economic topics since graduating from the University of Chicago in 1966.

THE PLANNING SYSTEM

What, specifically, does "the planning system" consist of? Giant corporations, the Fortune 500, of course. Unfortunately, all of Galbraith's detailed examples (and they are few and far between) are chosen from the military-industrial complex, from the regulated industries, such as drugs and transportation, and from the subsidized industries, as in research and development. Their distinguishing characteristic is that they are insulated from the market, supposedly, and are controlled by men who plan their activities rather than who respond to consumers. Galbraith, however, omits one very important step in his theory and his exposition. He only illustrates his argument, he does not attempt to test it. Just as the sophisticated Freudian uses examples from literature, or the sophisticated Christian uses examples from the life of Christ and daily personal experience to "prove" the truth of their beliefs, Galbraith and his constituency use examples from the military-industrial complex and the regulated sectors of the economy to prove the importance and need for "public" control. Counter-examples and alternative explanations are either not mentioned, or dismissed with a joke.

ECONOMICS AND THE PUBLIC PURPOSE. John Kenneth Galbraith. Boston: Houghton Mifflin Co. 1973. 334 pp. $10.00.

In this book, Galbraith grants a role to the free market. He acknowledges that it exists, and that it works. Yet he relegates it to a minor and shrinking role in society, and openly advocates that the government should take over the areas of health care, housing, and other "weak" places—where the market doesn't work as well as planning would, of course. His understanding of "the market" is that old straw man: "millions of little producers."

STRUCTURE VS. PROCESS

The school of economic thought which Galbraith represents—and it is not small, considering that he is a recent President of the American Economics Association—is the institutionalist school. He places the market on the same footing (i.e. one institution among others) as he places the State and "the planning system"—this last being his "discovery" and in one sense itself a meta-institution, therefore more important in the long run.

The institutionalist school places primary weight on the *structure* of economic and social activity. The Austrian school, by contrast, places primary weight on the *process* of economic and social activity (cf. Israel M. Kirzner, *Competition and Entrepreneurship,* University of Chicago Press, 1973). From the point of view of the "process" approach, the active agents of the economic system seek to discover cost-effective ways of satisfying demand, and thereby pocket the profits. Naturally, the most obvious locus of inefficient methods and procedures would be the monopolies and cartels which spring up here and there and everywhere; and sure enough, the Austrians argue, competition will eradicate such institutions in the long run (ten or fifteen years, from an empirical point of view, depending on the industry). The Austrians recognize that legal barriers to competition will stop this process, and therefore Austrian economists are typically political libertarians.

Galbraith, by contrast, believes that the economic "structure" is primary. This emphasis on structure instead of process makes the difference, leading Galbraith to favor a political and economic system based on democratic socialism. The important factor would be that "the people" have the ultimate sovereignty in all things, but Galbraith doesn't offer any clear discussion of the political process whereby "best" decisions might be made.

Whether or not it is primary, we know that "structure" is relevant, especially since legal barriers to competition do exist. Even some extra-legal barriers exist, at some times and in some places—such as cultural practices which forbid trade or which impose transaction costs. Prof. R. H. Coase once made the observation that even the example of "the perfect market"—the stock exchange—was created by an entrepreneur. There are many areas where economic structure is very relevant to the operation of the economic process. The corporation itself, to generalize, gains some economy of scale by eliminating the market within itself, and allocating resources by authority. Very few firms make use of the "agoric" system of production, where every worker is a sub-contractor on piecework. The costs of information and the costs of transactions are real economic costs. The reduction of costs is what economic behavior is all about. In the real world, there will always be sectors in which improvement can be made, perhaps new market structures invented to reduce the costs of transactions or the costs of information—or by conglomeration and far-sighted planning, to achieve a similar result by organization and the elimination of market-style bargaining.

What the institutionalists fail to consider is the point of trade-off, the point at which explicit control and planning cease to yield any reduction in costs. Galbraith is fond of introducing psychological factors to discredit classical economic arguments about market rationality, such as the argument that power-seeking on the part of corporate officers will lead them to go farther than strict attention to marginal costs and marginal revenues would otherwise lead them. Certainly the non-institutionalist must concede that not all income is cash income (some people prefer an easy job with lots of leisure time to one which pays well and demands fifteen hours a day—and leisure time is a form of income which is not taxed); but the institutionalist owes it to himself *to really investigate* the magnitude of these allegedly insidious factors in "the planning system" which diminish the welfare of the rest of society because they ignore a strict economic accounting and pursue power for glory's sake. The reader is directed to an article by Prof. Yale Brozen, "The Antitrust Task Force Deconcentration Recommendation," *Journal of Law & Economics,* Vol. 13 (Oct. 1970) and to the three articles by Brozen in the *Journal of Law & Economics,* Vol. 14 (Oct. 1971) in which he responds to the critics of his first article. Brozen presents empirical data on the extent of "concentration" in various industries versus their rate of return over time. The reader can judge for himself whether or not "the planning system" is a paper tiger. In contrast to Galbraith, Brozen does not use metaphor and alliteration to persuade; he uses statistics to refute (this is the "look in the horse's mouth and count the teeth" approach, also known as the "Chicago school").

SETTING PRICES

In Galbraith's explication of "the planning system" many pages are devoted to a description of the use of market power by the large corporations. One element in the background of all of these descriptions is the role of price, which Galbraith argues to be of minimal importance. If Galbraith genuinely believes that the technocrats exercise this thing known as market power, then he must logically believe that prices are lower than the hypothetical equilibrium. If for some reason, prices are lower than the point of classical equilibrium, then we call it a seller's market because the seller has more choices of customers, or excess demand, and some of them are turned away; only those who "play ball" are served. Do institutionalists such as Galbraith believe that the officers of the Fortune 500 are in business for the "psychic income" of being a Big Shot?

On the contrary, here the conspiracy theme again enters into the argument, because "the planning system" minimizes competition, he says, and leads to overdevelopment of supply, with prices too high for

equilibrium, like a cartel with excess capacity. His entire discussion of the power to set prices and allocate resources within "the planning system" seems to be confused, which is unfortunate for a professional economist. Galbraith seems to be overly impressed by the fact that a corporate executive makes a decision about the official price of a product. He fails to look beyond that simple step to the buy or sell *transaction,* where the effect of the official price is seen. Galbraith's conclusions in favor of price control by the State are founded, essentially, on this fixation with the power to establish prices—again, emphasizing structure, instead of process, and overlooking such things as discounting, under-the-table deals, credit terms, and other factors which are as much a part of "price" as the numerals printed in the catalogs. Of course, price controls abolish all of these under-the-table factors (as the capitalists who lobbied for the Interstate Commerce Commission one hundred years ago knew very well).

MORE OF THE SAME?

If the institutionalists, represented by Galbraith, seem to worry about the power of the ruling class, it is only a device. No attempt is made to distinguish between those activities of the New Industrial State which depend upon law and the police power and those activities which represent freedom of trade. Sometimes the rich do get richer, and the poor are better off because of it (e.g. Henry Ford's assembly line, or Samuel Goldwyn's studio). On the other hand, the fastest road to riches today is to be found in Washington, D.C. First in line are the executives of the Fortune 500. What does Galbraith offer as a solution? He does not offer any proposals which would remove from the Federal bureaucracy the power to formulate a symbiotic relationship with the major concentrations of industrial and financial management. On the contrary, his proposals consist of a cosmetic, structural alteration—one might even say a change "in name only." The planning system, after all, must be pretty good.

Unfortunately, there are no new ideas in *Economics and the Public Purpose.* In a chapter entitled, "The Socialist Imperative," he writes:

> . . . The central problem of the modern economy is unequal development. The least development is where there is the least monopoly and market power; the greatest development is where there is the most. . . . (p. 276)
>
> The compelling circumstance, as the reader will have suspected, is the retarded development of the market system. There are industries here which require technical competence, related organization, and market power and related command over resource use if they are to render minimally adequate service. Being and remaining in the market system, that they do not have. . . . (pp. 277-78)
>
> The only answer for these industries is full organization under public ownership. This is the new socialism which searches not for the positions of power in the economy but for the positions of weakness. . . . (p. 279)
>
> . . . With the rise of the market and the planning systems, and the consequent inequality in development, the case for public ownership becomes much more general. It is not that the market, though generally satisfactory, fails in particular cases. It is rather that the market system is generally deficient in relation to the planning system. Accordingly there is a presumption in favor of public intervention anywhere in the market system. . . . (pp. 281-82)
>
> But the story is not yet complete. The case for socialism is imperative in the weakest areas of the economy. It is also paradoxically compelling in the parts of exceptional strength. . . . (p. 283)
>
> For unduly weak industries and unduly strong ones—as a remedy for an area of gross underdevelopment and as a control on gross overdevelopment—the word socialism is one we can no longer suppress. . . . (p. 285)

Galbraith thus switches gears to argue that the case for socialism consists in the fact that "the planning system" is so great that we need to make it universal, and that by making it universal we can exercise "public control" over the technocrats because all decisions would be open to criticism and debate, and none would be reserved as areas "of private concern." Galbraith's big proof of the underdevelopment of the market system lies in the service industries, and in the arts. He makes reference to health care, housing, and agriculture as other areas which might be improved by central planning as well.

BASIC FALLACY

This review is not the place to attack the thesis which Galbraith ends up with. In the first place, the nature of the "constructivist rationalist" fallacy which assumes that centralized, planned organization is superior to decentralized, spontaneous order is more thoroughly examined by F. A. Hayek in his new book, *Law, Legislation and Liberty* (University of Chicago Press, 1973, vol. 1, "Rules and Order"). In the second place, the specific arguments which Galbraith finally makes—based on the constructivist rationalist fallacy—are not the sort of arguments which can be answered by a reviewer. The reviewer necessarily assumes the role of commentator, and to make the comment that "he is simply wrong" puts one into the posture of a know-nothing, an ideological zealot, or a defender of the status quo. The ideal of the rational organization of society is one which has fascinated the best minds of the past dozen generations of mankind, if not more. Who can condemn the pursuit of justice? The mistake is to assume that such a system can be realized by design.

It is not likely that John Kenneth Galbraith will be

remembered in twenty years, which makes his popularity and prestige during the past twenty years all the more remarkable. We envy the man his constituency —perhaps a tribute to the power of advertising. ◻

Libertarianism Comes of Age

Fred D Miller Jr

> [S]urely as the monstrous systems of collectivism which now dominate men's minds and actions grind to their inexorable halt in poverty, misery, and undisguisable slavery, man must awaken from his present trance of infatuations and ask for new and correct answers to the problems of his existence and freedom. And when he does, he will find at hand the answers he needs already largely hammered out, thanks to those stubborn armorers of thought . . . who worked at their forges through the night. (p. 54)

With this arresting metaphor, John O. Nelson characterizes Ayn Rand, Ludwig von Mises, and other progenitors of twentieth century libertarianism. The metaphor is equally applicable to Nelson himself and the other contributors to Tibor R. Machan's new anthology, *The Libertarian Alternative.*

The book symbolizes a new stage of maturity in libertarian thought. The necessary first stage was dominated by a few seminal thinkers who exerted a powerful influence over their followers but who generally maintained a vertical, master-pupil relationship (symbolized by the phrase, "students of Objectivism"). A period of ferment followed, in which erstwhile "students" established innumerable, short-lived discussion groups and publications. Occasional flashes of brilliance and originality illuminated this period, but mainly what one witnessed was immature, derivative, and (especially as it related to Rand) incredibly lacking in tact. The appearance of *The Libertarian Alternative* marks the stage at which a second intellectual generation has emerged in sufficient numbers to engage in dialogue and carry on the clarification, systematization, and application of libertarianism.

This book is an indispensable guide to current developments in libertarian thought. It is expensive, but handsomely produced and remarkably free of typographical errors. Most importantly, the essays are of uniformly high quality. The list of contributors is long and impressive. There are scholars with wide influence in the academic community (John Hospers, Milton Friedman, John Nelson, Yale Brozen, Bruce Goldberg) and theorists held in high esteem by libertarians (Mises, Hazlitt, Rothbard, Branden, Harper, Kirzner, Sennholz). There are several writers who have recently begun to make significant contributions (D. T. Armentano, Machan, Eric Mack, and Alan Reynolds), as well as a number of younger intellectuals who are beginning to emerge from the ranks. Most of the material was drawn from libertarian periodi-

THE LIBERTARIAN ALTERNATIVE. Edited by Tibor R. Machan. Chicago: Nelson-Hall Co. 1974. 553 pp. $12.50.

cals: six articles each from REASON and the *Freeman,* three each from *Persuasion* and *Left and Right,* nine others from libertarian or conservative publications or scholarly publications. There are also six new papers. Machan has wisely included several papers which, though frequently cited, have hitherto been hard to obtain: e.g., R. A. Childs' "Big Business and the Rise of American Statism", and Rothbard's "Left and Right" and "The Anatomy of the State". There is an important new paper by Eric Mack, "Individualism, Rights, and the Open Society." A most pleasant surprise, for me, was Bruce Goldberg's searching critique of "Skinner's Behaviorist Utopia." The articles range from analytical studies of central concepts such as freedom, free will, justice, rights, property and the state to papers which apply these concepts to contemporary social issues such as the draft, antitrust, welfare laws, price controls, minimum wage laws, foreign aid, involuntary mental hospitalization, conservation, transportation, and government regulation of the drug industry.

Machan has tried to give libertarianism the appearance of a united front. This approach has obvious advantages in a book directed toward the general public, but to an insider it leaves the impression of wallpaper used to conceal spreading cracks, such as the archy-anarchy issue and the Chicago school-Austrian school controversy. If libertarianism is to be a viable theoretical movement, these issues must be resolved in a satisfactory way; if not here, then elsewhere. Nevertheless, Machan's anthology conveys much of the richness of contemporary libertarian dialogue. In view of the fact that the book presents a reviewer with an embarrassment of riches and that it would be futile to try to canvass all of the contributions (I have no doubt that they will stimulate much future discussion), I shall confine my discussion to two main philosophical themes which run through many of the essays: the problem of free will and the problem of the moral basis of libertarianism.

Fred Miller teaches philosophy at Bowling Green State University in Bowling Green, Ohio.

FREEDOM: SOCIAL AND METAPHYSICAL

The term "libertarianism" is used in philosophical journals in a special sense: it refers to the metaphysical doctrine that man has a free will. The connection between this metaphysical doctrine and the social and political philosophy also designated as "libertarianism" is taken up in several of the essays in *The Libertarian Alternative.*

The free-will controversy may be summed up with the following list of propositions: (I) Some human actions are free. (II) Every event (including every human action) has a cause. (III) The cause of an event is a preceding event (or set of events) which it follows according to invariable laws of nature. (IV) An event cannot both be caused as defined in (III) and free.

These four propositions are plainly incompatible. The *hard determinist* uses (II), (III) and (IV) as premises to prove that (I) is false. Opponents of the hard determinist attack one or another of his premises. The *Indeterminist* attacks (II), arguing that free human actions are simply uncaused. The *soft determinist* tries to have his cake and eat it too by denying (IV): free actions are causally determined by preceding events. Nathaniel Branden, in "Free Will, Moral Responsibility, and the Law" (a revision of an *Objectivist* article that has been enormously influential) finds both these positions wanting (soft determinism on pp. 443f, indeterminism by implication on p. 440), and attacks (III) instead. Branden argues for the necessity of rejecting the nowadays generally accepted Galilean and Humean conception of causality in terms of the regular succession of motions or events, in favor of the Aristotelian doctrine that "causes were substances or things, while effects, on the other hand, were either their activities or were other substances" (p. 440, citing Windelband).

This approach allows the person, as agent, to be the cause of his own actions. Branden underscores the importance of the free-will issue for libertarianism (*qua* social theory): the fact that man's actions "are under the control of a faculty which is free" is "the reason why man is held responsible for his actions" (p. 430).

In addition to his discussion of causality, Branden offers illuminating insights into the volitional nature of consciousness (pp. 420-430). Surely he has described the leading competitor to the hard determinist conception of man proposed by the likes of B. F. Skinner. Most libertarians agree with Branden that free will is an issue of decisive importance for ethics and law, but they should realize that ultimately, the controversy over free will—and, especially, over proposition (III)—is *an empirical issue.* Given the present pace of development in the science of neurophysiology, in the development of artificial intelligence and the computer simulation of mental operations, it is very likely that it will be established within a hundred years whether or not the human brain is a deterministic system. However, Branden, along with many libertarians, believes that there is no need to wait that long. The issue can be settled right now by means of an *a priori* argument that "the doctrine of determinism contains a central and insuperable contradiction —an *epistemological* contradiction" (p. 435). Determinism "necessitates the conclusion that man can know nothing" (p. 437) and, thereby, commits "the fallacy of self-exclusion" (p. 438).

The crux of Branden's argument is that "if man believes what he has to believe, if he is not free to test his beliefs against reality and to validate or reject them—if the actions and content of his mind are determined by factors that may or may not have anything to do with reason, logic and reality—then he can never know if his conclusions are true or false" (p. 436). Very similar arguments are offered by R. A. Childs, Jr. (p. 214) and Tibor Machan (p. 247).

This argument contains a gaping lacuna. How does man's possession of free will enable him to know whether or not his beliefs are true or false or whether they are arrived at logically? In his initial, very careful, discussion of volitional consciousness, Branden makes the point that the locus of the free-will dispute is the *act* of focusing one's consciousness; and, he adds, "The act of focusing pertains to the *operation* of a man's consciousness, to its method of functioning—*not* to its content" (p. 425). Man is free to choose to seek awareness. But he does not, by the very fact that he is free, possess any knowledge. The contents of his consciousness are, presumably, determined by the facts of reality (including the laws of logic) *via* his sensory apparatus. The difficulty in the argument is concealed by the use of very ambiguous language: "If his capacity to judge is not free, *there is no way for a man to discriminate* between his beliefs and those of a raving lunatic" (p. 436, my italics). In response to those determinists who claim that the factor determining them is logic: "But *by what means* do they know this?" (*ibid.,* my italics) "A mind that is not free to test and validate its conclusions . . . can have no way to tell the logical from the illogical, *no way to ascertain that which compels and motivates it,* no right *to* claim knowledge of any kind" (p. 437; his italics). There are two quite different ways of interpreting "way of knowing," "way of discriminating," etc. These can refer to a *criterion* for identifying things of a certain sort or to a specific *mental act* (e.g. focusing) necessarily involved in identifying such things. Branden cannot consistently maintain that free will supplies us with a "way of knowing" in the sense of criterion, since a consciousness derives no specific contents from the mere fact that it is free. But if "way of knowing" refers to a peculiar mental act, the determinist can respond that nothing in *his* theory rules out such mental acts: he merely claims that they are determined according to proposition (III) as well as (II). If Branden is arguing that the determinist cannot refute the sceptic who asserts "You may be utterly insane (though you have no apparent reason for thinking you are)," it is hard to see how the free will theorist can refute him either.

SKINNER AND CAUSATION

Bruce Goldberg deploys a different, but related, argument against B. F. Skinner. He quite rightly takes Skinner to task for obscuring the distinction between *causes of* and *influences on* behavior, and presents some prima facie examples of the difference (e.g. causing a reflex kick by kicking a person's knee, as opposed to asking him to raise his foot). It is appropriate to speak of influences in cases in which the person remains in control of his behavior. Goldberg presents a straightforward case for proposition (IV). Let *A* be any action.

(1) "*A* is caused" entails "A is out of the agent's control"

(2) "*A* is out of the agent's control" entails "A is not free" so that

(3) "*A* is caused" entails "A is not free." If it were the case that

(4) "*A* is influenced" entails "*A* is caused," it would follow—from (1) and (4)—that

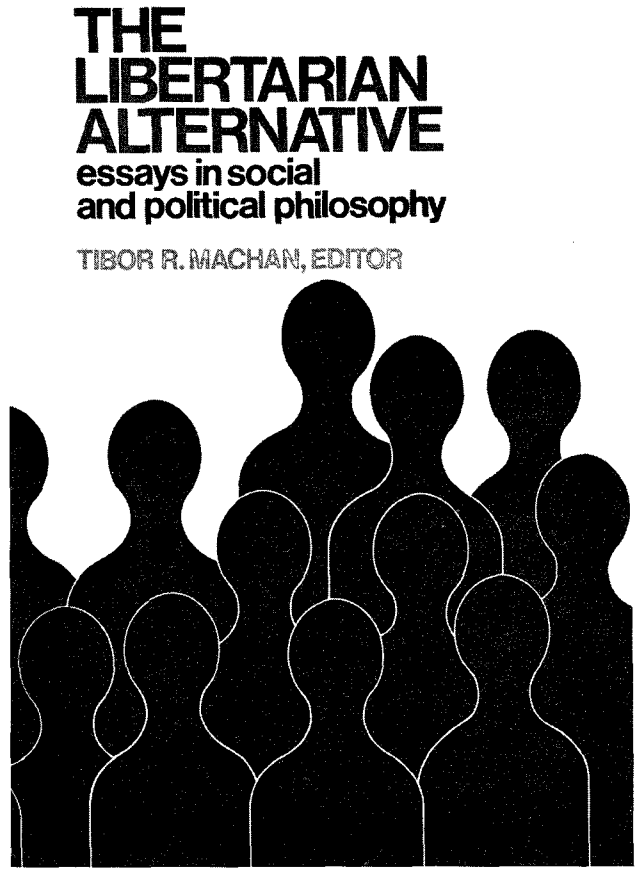
(5) "*A* is influenced" entails "*A* is out of the agent's control" to which there are obvious counter-examples. Goldberg points out that a general can respond deliberately and calmly to intelligence of an enemy-troop concentration, without going berserk and "running in the direction of the enemy camp, knife in hand, screaming that he is going to kill the mad beasts" (p. 103). Since, then, (5) is false, either (1) or (4) is false. [But not "either (3) or (4) is false," which is Goldberg's way of stating the matter (p. 103).] To say that *A* is influenced by something else is to say that the circumstances in which *A* occurs are relevant to the explanation of *A*. Hence,

(6) "*A* is rational" entails "*A* is influenced." But since Skinner assumes (4), he is also committed, by (1)—(3), to

(7) "*A* is rational" entails "*A* is not free." Goldberg concludes: "This, I submit, is absurd, for if behavior is unfree, then it is impossible that it be rational." Goldberg's point is clear when we reflect that (1), (4), and (6) imply that, *insofar as an agent acts rationally, he is not in control of his actions,* which is manifestly absurd. However, the absurdity of "unfree rational" behavior is evident *only if* by "unfree behavior" is meant reflex actions like knee jerks or totally berserk conduct. So what is really at issue is (1): Is behavior which is completely causally determined restricted to reflex acts and maniacal sprees? Or is the brain—including those regions of it involved in high level deliberation and reasoning—a deterministic system? It should be noted that (1) is dubious even for animals. The behavior of a cat painstakingly stalking a bird is not "out of control" like that of an animal that has just eaten loco weed.

FREE WILL AND FREEDOM

Branden, Childs, Goldberg and Machan all seem to suppose that the case for social freedom in some way hinges on the case for free will. But not all of Machan's contributors explicitly assume this. Free



will is conspicuously absent from three important essays: Thomas Szasz, "Involuntary Mental Hospitalization;" John Nelson, "The Two Opposed Theories of Freedom of Our Philosophical Inheritance;" and John Hospers, "What Libertarianism Is." Szasz argues against the involuntary commitment of mental patients on the grounds that "a person 'owns' his body and his personality. The physician can examine and treat a patient only with his consent; the latter is free to reject treatment . . ." (p. 446). Szasz maintains that all people are responsible for their acts. No one can be excused on the grounds that he is "mentally ill" (and that he, therefore, suffers from a "defect of the will"). Since his main argument presupposes the possibility of consent, Szasz is committed to the assumption that a responsible agent has a brain sufficiently unimpaired to permit intelligent consent. (Szasz, of course, attacks the myth that there are forms of "mental illness" not involving "a disorder of the physiological machinery of the body" (p. 446)). But this is not, yet, to assume metaphysical free will. John Nelson begins his essay by explicitly sidestepping the free will issue (p. 38). He defends the (libertarian) "English theory" of Hobbes and Locke that freedom is "an absence of external hindrances, but also, a power to desire and to exercise that power" (p. 40), against the "Continental theory" of Rousseau and Kant that freedom is "obedience to the law which we prescribe to ourselves" (p. 41, quoting Rousseau). Nelson brilliantly exposes the confusions

involved in the Continental theory, and tries to show how on the English theory (as interpreted by Locke) individual freedom can be reconciled with the rule of law. But his argument nowhere assumes (or even tacitly presupposes) the existence of free will.

Hospers' very lucid introductory essay makes use of Spencer's important work on the derivation of rights: "Clearly the conception of 'natural rights' originates in recognition of the truth that if life is justifiable, there must be a justification for the performance of acts essential to its preservation; and, therefore, a justification of those liberties and claims which make such acts possible" (p. 7, quoting Spencer). Here, again, the free will issue is entirely irrelevant to the attempted defense of social freedom.

To sum up, I have not been trying to suggest that free will is an illusion or that we are, after all, only fleshy robots. Free will still seems to be a live option in the explanation of human behavior. But "easy" refutations of determinism have a fishy air. Moreover, the lines of dependence of concepts crucial to libertarianism such as rights, liberty and responsibility on the metaphysical concept of free will are far from obvious.

LIBERTARIANISM AND INDIVIDUALISM

Libertarianism is the theory that the web of human relationships should be voluntary and that the initiation of force must not be countenanced. As a social philosophy it requires an underlying moral basis, a comprehensive theory of human values and interpersonal obligations. However, there is no general agreement among libertarians as to what this basis should be. The traditional point of view (represented by John Stuart Mill's *On Liberty*) is utilitarian. The more recent approach (taken by Ayn Rand and those influenced by her) is to try to found libertarianism on a radically different basis, viz. ethical individualism.

In "Is a Free Society Stable?" Milton Friedman presents utilitarian arguments for *laissez-faire* society (p. 409). Friedman's influence on libertarians has been beneficial, insofar as they have been encouraged to discover concrete free market or voluntary alternatives to existing government programs. However, the utilitarian defense has not been notably successful over the last century. As Friedman remarks, the utilitarian defense entails arguing "against undertaking any one of a large class of actions" involving governmental intervention (p. 410), whereas the interventionist has the much easier task of arguing for governmental action in just one specific case. Moreover, the utilitarian's commitment to individual rights can never be very firm because it rests on shifting social circumstances. (Mill, it should be recalled, regards a free society as inappropriate for "barbarians".) There is a further serious difficulty in the utilitarian defense. Utility (the greatest good for the greatest number) is determined by weighing certain values against other values. Even if Friedman can show that the price for obtaining a certain goal is quite high (when measured in one value), the opposition may still think that the goal is worth it (when measured in another value): e.g. that medical care to relieve the suffering indigent, even to a limited extent, justifies extensive economic dislocations.

Rothbard, in "Left and Right: The Prospects for Liberty", finds the difference between libertarianism and collectivism one of means rather than ends: "Socialism, like Liberalism and against Conservatism, accepted the industrial system and the liberal *goals* of freedom, reason, mobility, progress, higher living standards for the masses, and an end to theocracy and war; but it tried to achieve these ends by the use of incompatible, conservative means: statism, central planning, communitarianism, etc." (p. 530). Rothbard points out glaring discrepancies in socialism between its stated goals and actual means. Nevertheless, I believe that the differences between libertarianism and socialism run far deeper than he suggests. As Nelson points out in "The Two Opposed Theories of Freedom of Our Philosophical Inheritance" (p. 41), what the socialist *means* when he says he prizes "freedom" is quite different from what the libertarian means. Further, the socialist, unlike the libertarian, regards economic *equality* as an overriding necessity. Finally, socialists have a deep-seated antipathy toward private property which makes even anarcho-capitalism repugnant to them.

ETHICAL INDIVIDUALISM

The alternative is to establish libertarianism on a moral basis of explicit ethical individualism. Eric Mack pursues this alternative in "Individualism, Rights, and the Open Society", which he describes as a discussion of "the connections between . . . ethical individualism, natural or human rights, and the need for an open and unregulated society" (p. 21). This essay is an extension of earlier work in which Mack has displayed a capacity for original and trenchant analysis. Mack begins the essay with a clear summary of "Egoism and Rights" (*Personalist,* 1973), an extremely important paper. Mack defends a theory which has an affinity with Rand's objectivist ethics and which escapes the stock objections against egoism. It attaches to the *teleological* principle (of ethical individualism) that an individual ought to promote his own well-being, a *deontic* rider: the principle (of noncoercion) that an individual ought never to use coercion against another (unless to do so is necessary for his well being). The point of the last parenthetical clause is that the rider will not apply if a coercive act is *necessary* in a particular occasion to the agent's overall self-interest. He ingeniously argues that actions violating the rights of others are objectionable for the same reason, ultimately, as self-sacrificial acts. He illustrates his position with some clear examples. Finally, he applies his ethical principle to a variety of concrete cases, obtaining results consistent with libertarianism: the right to something does not include the right to its material implementation; there

is a right to property; fraud and threats to use force are both violations of rights; there is a right to self-defense.

Mack's work is a very important step in the development of a systematic theory of ethical individualism. However, as it stands, his account seems open to criticism on at least a couple of counts. One serious difficulty involves his analysis of the expression "necessary for A's well-being."

> A's performance of [action] *c* at [time] *t* is necessary only if (i) *c* is the first constituent of a series of actions which is *more* in A's interest than any other series open to him or (ii) *c* is the first constituent of *every* one of a number of series of actions each of which is as much in A's interest as any other series of actions [p. 28].

Mack suggests that although at any time "a person has an almost infinite number of series of actions open to him" to commence, "only a small percentage of the actions open to a person . . . are necessary to that person's interest". This is misleading. Although it follows that the noncoercion rider will cover most actions open to one at any given time (since they are not "necessary" in the defined sense), it by no means follows that the noncoercion rider will be operative in most action situations. For in most situations, very few alternative, and generally only one, series of actions will lead to an optimal state, the greatest possible well being the agent can achieve. In real life, there is generally not an alternative series of actions just as good as the best series of actions open to one. If the agent does not pursue that series of actions, he is settling for something less than the optimal state. But on Mack's account the initial action of the series leading to the optimal state is "necessary" for the agent's well being, so that the noncoercion rider will be inoperative. Perhaps the source of the problem is Mack's attempt to define "necessary for one's overall well being" in terms of optimific consequences rather than in terms of a "tolerable" or "acceptable" level of existence.

PROMISES, PROMISES

Mack's applications of his principle to concrete cases are plausible except for cases of fraud and breach of contract. Mack argues that "people have rights against being lied to and to the keeping of promises that are made to them" as follows: "Promises produce expectations; and, given these expectations induced by the promiser, persons may reorder their plans, goals, and actions. The fact that the expected (promised) event does not occur renders the person who received the promise and reordered his plans less efficacious as a direct result of the promise that was made to him" (p. 33). An obvious difficulty with this argument is that it obscures the difference between promises and statements of intention. If I sincerely declare my intention to do something

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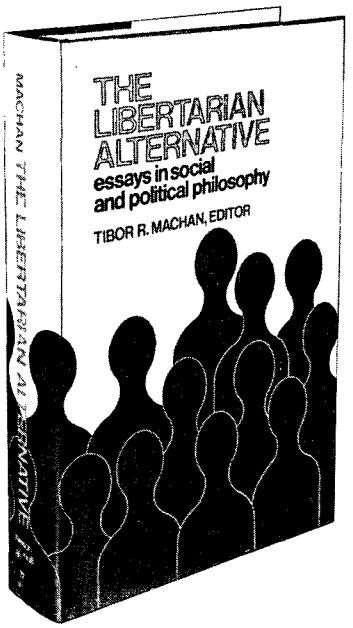

Edited by Tibor R. Machan

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The contributors include John Hospers, Murray N. Rothbard, Yale Brozen, Lynn Kinsky, R. A. Childs, Jr., Joan Kennedy Taylor, Alan Reynolds, Tibor R. Machan, Henry Hazlitt, F. A. Harper, Ludwig von Mises, Milton Friedman, Nathaniel Branden, Thomas S. Szasz, and Israel M. Kirzner.

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without in any way binding myself (saying "I promise . . . ," signing a contract, etc.) I am doing nothing immoral if I later change my mind and do not do what I intended to do. This is true even if my statement produced certain expectations in others. There is more to promising than producing certain expectations in others. Promising in some way involves voluntarily binding oneself or "creating rights" of others against one's own actions. The obligations involved in contracts and depositions are of a conditional or assumed nature, and should not be treated in the same way as the unconditional obligation to abstain from coercion. They require a more sophisticated treatment than libertarians have given them in the past.

There is far more in this book, and in the articles I have touched on, than I have been able to cover here. I have tried to convey some of the depth and thematic continuity to be found here and to suggest some directions which the libertarian dialogue might take in the future. I am certain that the essays found in this book will have a profound influence on that dialogue.

ROTHBARD as SOCIAL CRITIC

Paul Varnell

As most libertarians know, in addition to his five books, Prof. Murray Rothbard has written a multitude of monographs, articles, papers, and reviews; but these have appeared in journals so widely dispersed and often of such limited circulation that few people can very likely read even half of them. This book seeks partially to remedy that circumstance by gathering between covers some 17 of Prof. Rothbard's articles, mostly on "extra-economic matters" such as "property rights, the nature of government or the importance of justice" and we welcome its publication.

The most substantial of the articles, constituting about half the book, are the first five: the title essay, "Left and Right: The Prospects for Liberty," "The Anatomy of the State," "Justice and Property Rights," and "War, Peace and the State." The second half of the book consists of essays on divergent topics of a more popular or current-issues orientation such as the notion of the public sector, women's liberation, children's liberation, conservation, anarcho-communism, and the economic doctrines of Spooner and Tucker. In each essay Rothbard is engaged in applying micro-economic analysis and the libertarian "axiom" of nonaggression to the particular problem or phenomenon under discussion. There is also a tribute to Ludwig von Mises using Thomas Kuhn's idea of paradigms to explain why Austrian economic theory has not been more widely accepted.

"Left and Right" is a historico-political manifesto which was part of an effort in the mid-sixties to drive a wedge between libertarians and conservatives by clarifying or re-aligning the ideological spectrum (the Old Order versus Liberalism); reminding or informing libertarians of who their true ancestors were; explaining how the bases for libertarian principles had become corrupted and even abandoned, and, concomitantly, the principles themselves compromised (by utilitarianism and social darwinism); drawing on then-recent historical research to provide a largely new understanding of the American situation (Big Business as a supporter of the Progressive Movement, the drift of some early libertarians to a conservative

EGALITARIANISM AS A REVOLT AGAINST NATURE. By Murray N. Rothbard. Washington: Libertarian Review Press. 1974. 151 pp. $2.50.

rhetoric, etc.); and concluding with some remarks on problem of terminating the hegemony of the ruling "caste" (p. 32, cf. p. 117).

To the extent that the article constructs a dichotomy between Enlightenment, liberalism, hope, radicalism, the Industrial Revolution, progress, and humanity, on the one hand, and reaction, statism, (political) hierarchy, theocracy, serfdom, romanticism, irrationalism, and class-exploitation on the other, it may be under-nuanced. Similarly, its identification of socialism as a middle-of-the-road movement is a piece of semantic prestidigitation and its claim that "long run victory for liberty is inevitable" (p. 29) is philosophical nonsense, but these aspects (reminiscent in ways of Hegel or Marx—cf. p. 48) are perhaps attributable to Rothbard's aims and the circumstances in which he wrote. By and large the essay holds up well and, I think, is still capable of doing its intended work of providing a rough sketch of how things stand and some of the valid grounds for libertarian optimism.

Immediately following is "The Anatomy of the State" which argues that (I) the "State" is not "us," that (II) it is coercive and parasitic (essentially a gang of predators), that (III) it retains power by an alliance with the intellectuals (though not, one should add, with the philosophers, who have generally been patronized by the urban patriciate), and (V) offers some examples of things that threaten the power and existence of the state. Many readers will find the central section (IV) to be of the most interest: titled "How the State Transcends its Limits," it draws on Calhoun, de Jouvenel, and J. Allen Smith to argue

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that there is no institutional way to limit the state. That there might be noninstitutional ways is not necessarily precluded by Rothbard's analysis, but he alludes to such matters only in footnotes, and, so to speak, between the lines.

"Justice and Property Rights" follows immediately as a kind of corrective or alternative to the state. Rothbard's argument begins with a critique of utilitarianism and recent writings by economists Ronald Coase and Harold Demsetz, asserting (if I read him correctly) that their attempt to be value-free as economic analysts necessarily entails their leaving the decision regarding the justice (justness of the origin) of property rights to be determined by the state and that therefore they are "blindly apologizing for the *status quo*" (p. 56). However that may be, Rothbard then offers his own theory based on the premises that (a) each person has an absolute property right in his own person and that (b) previously unused material resources are acquired by occupying or transforming them. He then applies his principles to existing property titles and shows, among other things, how they provide a valid basis for the desire for "land reform" among the peasantry in underdeveloped countries.

Rothbard's title for this essay is perhaps inexact for he is not concerned with property rights (rights deriving from the fact that one owns property; or, what absolute ownership means; cf. p. 89), but rather with that part of justice which gives the notion of property rights (or, indeed, any rights) philosophical undergirding. Whether justice can manifest itself in other modes than property rights (in the sense of justly owning property) is not made wholly clear. Put another way: the essay does not suggest that justice makes any claims (or: has any operational meaning) once property rights are justly founded. As close as Rothbard comes to a discussion of that matter is his statement that "there is a host of moral rights and duties which are properly beyond the province of the law" (p. 93), but those may not be related to justice.

Rothbard says that his understanding of justice derives from—"to use an old-fashioned but still valid term—natural law" (p. 148), and more specifically natural law understood as "what is best for man and his life on earth" (p. 59). But the term "natural law" is not unambiguous, and different conceptions of it have resulted in different understandings of justice. For instance, an ancient version of natural law asserts that since what is best for Man is a proper object of philosophical investigation and is accordingly—at least in principle—knowable, that justice and coercion are not mutually exclusive, and that, in fact, "it is not altogether wrong to describe justice as a kind of benevolent coercion." Rothbard's notion seems, however, much closer to the modern understanding originating with Hobbes, by which "a man is forbidden to do, that, which is destructive of his life, or taketh away the means of preserving the same" so long as he is "content with so much liberty against

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EGALITARIANISM AS A REVOLT AGAINST NATURE

and other Essays

Murray N. Rothbard

other men, as he would allow other men against himself" (*Leviathan,* Ch. 14). In fact, this last reminds one of the "law of equal liberty" which Rothbard attributes to Spencer and Tucker (p. 128). But it is by no means certain that Rothbard is accepting (or would be willing to accept) the teaching about the nature of Man which Hobbes's ethical conclusions presuppose.

It has been persuasively argued by a number of political philosophers (Strauss, Cox, Goldwin) that Locke, whose account of the justness of claims to property Rothbard draws on and overtly acknowledges (p. 128), simply elaborated Hobbes' doctrines with particular attention to property. But Locke's approval of property rights and unlimited acquisition is based not on an absolute right to property, but on the grounds that it fosters the greatest prosperity in society. Rothbard, on the other hand, says elsewhere that "even if a society of . . . systematic invasion of rights could be shown to be more productive than [Rothbard's system] the libertarian would support this [Rothbard's] system" (*For a New Liberty,* p. 41), so Rothbard is not simply plugging into John Locke for a philosophical justification for the right to property.

Rothbard says that his understanding of natural law is based on the nature of human beings, which is such that "each individual must use his mind to learn about himself and the world, to select values and choose ends . . . in order to survive and flourish" (p. 59). This is the case, I take it, because either no one

else can know what is good for another person (i.e., what he needs) or no one else can know what another person wants, for Rothbard also says "if individual diversity were not the universal rule, then the argument for liberty would be weak indeed" (p. x). Still, Rothbard suggests that parents have "the moral duty as well as the right . . . to train the children in the values [and] self-discipline . . . needed to become a fully mature adult" (p. 91), and have a "moral . . . responsibility to . . . train their persons and their character" (p. 93). Thus it seems that human beings are in some respects not so diverse as it at first appeared and that we can know some values which accord with, or are part of, "the ontological structure of reality, of the laws of human nature and the universe" (pp. 12-13).

All of this is not to suggest that Rothbard's account of justice, human nature, and natural law is necessarily defective; it is, however, to notice that it is as yet incomplete, and, accordingly, somewhat troublesome. One might in this connection wonder whether Rothbard is not attempting to derive some Kantian ethical conclusions (such as that each person should be treated as an end in himself) by pre-Kantian (or even pre-modern) means. Be that as it may, in the Foreward to the book, Roy Childs writes that "Rothbard is working to complete his book on the ethics of liberty" (p. iv). It is a book which the present one by its hints and partial formulations invites us to look forward to.

As to the rest of the book, I must make the reviewer's usual reference to the necessary brevity of a review and his desire to focus on those matters which seem to be most significant. The remainder of the articles are unfailingly interesting, and I have perhaps insufficiently stressed the ingenuity and incisiveness of Rothbard's analyses. There are, to be sure, the overlaps and repetitions perhaps almost inevitable in a volume consisting of articles each originally written so as to be wholly intelligible on its own, but that circumstance is easily outweighed by the pleasure of seeing how the widely diverse topics Rothbard considers are each clarified by his application to them of libertarian principles. In this regard, I wish the book were longer so that it might also have included such articles as "Freedom, Inequality, Primitivism, and the Division of Labor," "Conservatism and Freedom: A Libertarian Comment," his review of Bruno Leoni's *Freedom and the Law,* and his discussion of Milton Friedman's economic principles.

Since the book appears as the maiden issue of the Libertarian Review Press, one should mention the handsome appearance of the book itself: the paper is of high quality, the type face clean, and I found only a solitary misprint. On the other hand, there is some uneven leading between the lines, some skewed letters (p. 113), some short pages, and no half-title page. I also regret the absence of at least a name index, an item which the publishers can easily provide in their future volumes.

Prof. Rothbard closes his book with an essay called "Why Be Libertarian?" which explains that "a lifelong dedication to liberty can only be grounded on a passion for justice" (p. 148). Prof. Rothbard's own passion for justice is readily visible—even luminous—on every page of this book, and just as the essays themselves deserve and even demand careful and thoughtful reading, so Prof. Rothbard deserves our appreciation for increasing our understanding and for provoking our own thoughts. ◻

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A Le Fevrean man from Khartoum
took a Randian girl to his room,
But they argued all night
as to who had the right
to do which, and with what, and to whom.

Cynthia Ann Leenerts

LITERATURE

Philosophy & Sense of Life, Revisited

Jeff Riggenbach

G.E.B. Charing says somewhere that the only thing more interesting than a new book is an old book which may be read in a new way. I had occasion recently to experience the truth of his observation when, shortly after re-reading Ayn Rand's essay "Philosophy and Sense of Life," I picked up three old books in succession: Miguel de Unamuno's *Tragic Sense of Life,* first published in English in 1921; Stephen C. Pepper's *World Hypotheses,* first published in 1942; and James Branch Cabell's *Beyond Life,* first published in 1919. All three books are classics of a kind, having remained more or less continuously in print for the last half century and having become indispensible to any thorough study of, respectively, Spanish literature and philosophy, the foundations of philosophical thinking, and the "Second American Renaissance" of the Nineteen tens-and-twenties. All three are philosophical books, though the Pepper volume is systematic and technical while the Unamuno and Cabell volumes are metaphoric and personal. Read as they were probably intended to be read and as they have traditionally been read, the books discuss widely divergent subjects: Unamuno is concerned with an attitude toward life and the kinds of philosophical and theological views to which it gives rise; Pepper is concerned with the origins of the most general world-theories which men have developed; Cabell is concerned with the attitudes toward life which various literary figures have adopted and with how those attitudes have affected their work. But, in the process, all three writers make solid contributions toward a fuller understanding of the issue Rand has called "Philosophy and Sense of Life."

TRAGIC SENSE OF LIFE. By Miguel de Unamuno. Dover Books. 1954 ed. 330 pp. $2.50.

BEYOND LIFE. By James Branch Cabell. Johnson Reprint Co. 1919 (first ed.). $12.00.

WORLD HYPOTHESES. By Stephen C. Pepper. University of California Press. 1961. 348 pp. $3.45.

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SENSE OF LIFE

The concept "sense of life" is not original with Rand, of course, not even in the field to which she applies it most insightfully—the field of aesthetics. Unamuno is only one of a large number of writers who used the term years before Rand published anything, and used it in a similar or identical sense. And at least one other literary critic, Arthur Mizener, applied the idea to fiction in a Randian way at least three years before Rand made any public statements on that subject.[1] But Rand is the thinker who has provided the most detailed and careful elaboration of the concept—the writer who has made the idea of sense of life clearest. For Rand a sense of life is

> a pre-conceptual equivalent of metaphysics, an emotional, subconsciously integrated appraisal of man's relationship to existence. It sets the nature of a man's emotional responses and the essence of his character.
>
> Long before he is old enough to grasp such a concept as metaphysics, man makes choices, forms value-judgements, experiences emotions and acquires a certain *implicit* view of life. Every choice and value-judgement implies some estimate of himself and of the world around him. . . . He may draw conscious conclusions, which may be true or false; or he may remain mentally passive and merely react to events (*i.e.,* merely feel). Whatever the case may be, his subconscious mechanism sums up his psychological activities, integrating his conclusions, reactions or evasions into an emotional sum that establishes a habitual pattern and becomes his automatic response to the world around him.[2]
>
> The key concept, in the formation of a sense of life, is the term *"important."* . . . It means: "A quality, character or standing such as to entitle to attention or consideration." . . . It is only those values which he regards or grows to regard as "important," those which represent his im-

plicit view of reality, that remain in a man's subconscious and form his sense of life.[3]

And a person's sense of life, once formed, determines or at least strongly influences certain of his choices. For example, Rand writes, in the sphere of romantic love, "It is one's own sense of life that acts as the selector, and responds to what it recognizes as one's own basic values in the person of another."[4] And again, "It is the viewer's or reader's sense of life that responds to a work of art by a complex, yet automatic reaction of acceptance and approval or rejection and condemnation."[5]

If a sense of life "acts as a selector" of romantic partners and "responds" to works of art, it is because certain people and certain paintings (or novels, or poems, or symphonies) appeal to its view of what is *important,* while others do not. If, as a man, I am drawn to women who think highly of themselves, who live in order to enjoy themselves, and who seek challenging careers, it is because I believe—I *feel,* on a sense of life level—that self-esteem, pleasure, and the ability to overcome obstacles are *important,* that is, are aspects of reality entitled to my attention or consideration. If, as a reader, I am drawn to novels which exhibit highly disciplined, highly self-conscious, semantically rigorous style and which use that style to offer detailed psychological analyses of character, it is because I feel that conceptual self-awareness, rigor and precision of thought, and analysis of human motivation at a deep psychological level are *important* and merit my attention and consideration.

. . . AND PHILOSOPHY

But art and romantic love are not the only spheres in which values are involved, and they are not the only spheres in which sense of life acts as a person's guide. Another is philosophy. Rand considers this issue, but she thinks of it primarily in terms of effecting a transition from sense of life to conscious philosophy such that, for the one who succeeds in the transition, "the mind leads, the emotions follow." The successful transition, she writes, is a "process of validating and, if necessary, correcting in conceptual terms what [one] had merely sensed about the nature of . . . existence, thus transforming a wordless feeling into clearly verbalized knowledge. . . ."[6]

But I think there is more to be said on the subject than that. If, as a human being, I am drawn to philosophy in the first place, it is only because I believe that achieving a comprehensive view of reality is *important.* If I find epistemological questions more interesting than ethical ones, it is because I believe that the process of thought and the acquisition of knowledge are, in some sense, more *important* than the study of rules for making one's behavior best conform to a code of values. If I am more persuaded by Susanne Langer's theory of art than by Ayn Rand's advocacy of a similar position, it is because I think certain of the issues on which Langer places great emphasis (the nature and function of symbols, the biological and anthropological sources of man's need of symbolic formulations, the essentially amoral character of art) are more *important* than the issues on which Rand has chosen to place greatest emphasis (the work of art as an act of psychological self-revelation, the moral value a work of art can have in one's life). In short, the kinds of philosophical questions we believe to be worth our attention and consideration, the sorts of methods we consider important enough to use in our search for answers—ultimately, the philosophies we come to advocate—are shaped by our senses of life.

This is the idea which informs Unamuno's *Tragic Sense of Life.* "Philosophy," he writes in the opening pages of the book, "answers to our need of forming a complete and unitary conception of the world and of life, and as a result of this conception, a feeling which gives birth to an inward attitude and even to outward action. But the fact is that this feeling, instead of being a consequence of this conception, is the cause of it. Our philosophy—that is, our mode of understanding or not understanding the world and life—springs from our feeling towards life itself." (pp. 2-3) And again: "Philosophy is a product of the humanity of each philosopher, and each philosopher is a man of flesh and bone who addresses himself to other men of flesh and bone like himself. And, let him do what he will, he philosophizes not with the reason only, but with the will, with the feelings, with the flesh and with the bones, with the whole soul and the whole body. It is the man that philosophizes." (p. 28)

The man Unamuno was no exception to his own rules. He too philosophized with his entire being; he too advocated philosophical views which were the consequence of a feeling towards life itself—the feeling Unamuno called the tragic sense of life.

PRESERVING THE LIFE PROCESS

If, as Rand suggests, a sense of life may be verbalized in terms of the implicit value-judgements that lie behind it, in terms, that is, of what it seems to stress as the *important* aspects of existence, the ones that deserve our attention, then Unamuno's tragic sense of life is based in the view that the life process itself—what Rand has called self-sustaining and self-generated action—is the most important and valuable thing about being alive and must be preserved at all costs. The tragic sense of life is tragic because it will settle for nothing less than immortality, yet it knows that death is (at present anyway) inevitable. So it turns to philosophy, addressing itself to those questions which are made to seem important, worthy of investigation, by their apparent bearing on the problem of human mortality.

The bulk of Unamuno's discussion is given over to a consideration of the kinds of philosophical ideas a person with such a tragic sense of life might come to adopt and of the reasons he would have for adopting

them. And Unamuno is careful to point out that the tragic sense of life will not lead necessarily to one particular philosophical orientation. A sense of life is an almost incredibly complex phenomenon, integrating literally every observation, value-judgement and emotion its bearer has ever formed. And subtle differences, shifts of emphasis within one general sense-of-life, will lead to markedly different conceptual views. Clearly the tragic sense of life would lead many people to theology, with its promise of eternal life. But it can also lead to a kind of mechanistic positivism, with *its* emphasis on the indestructability of matter. Unamuno considers both possibilities in some detail. And he also accounts for some of the distinctive moral and metaphysical tenets of religion in terms of the tragic sense of life. For Unamuno, God is not posited by people who need a causal explanation of the events they see around them; he is posited by people who need a justification for belief in personal immortality. Sex for non-procreative purposes is not condemned by people who hate pleasure; it is condemned by people to whom pleasure is less important than immortality, and to whom procreation offers a kind of immortality.

It should be acknowledged at this point that *Tragic Sense of Life* is far from satisfactorily systematic and careful as a work of philosophy. As Susanne Langer has written of it, "Unamuno's feelings are strong and natural; his aphorisms are often poetic and memorable. With his philosophical assertions, however, one cannot take issue, because he prides himself on being inconsistent, on the ground that 'life is irrational,' 'Truth is not logical,' etc. Consistency of statements he regards as a mark of their falsity. Like some exasperating ladies, who claim 'a woman's right to be inconsistent,' he cannot, therefore, be worsted in argument, but—also like them—he cannot be taken seriously."[7] He can be taken seriously, however, as a highly insightful and original explicator of a sense-of-life and some of the ways in which it is converted into a philosophy. *Tragic Sense of Life* would prove interesting, I think, to anyone seriously interested in the pre-conceptual foundations of religion and of irrationalist philosophy generally.

BEYOND LIFE

Tragic Sense of Life was first published in English translation in 1921, only two years after the American writer James Branch Cabell had issued his book *Beyond Life.* Cabell is no longer widely read or even widely known, and most of his more than fifty books are out of print. Yet, during the 1920's, largely because of the publicity he received when his novel *Jurgen* was seized by the New York Society for the Suppression of Vice, his books were best sellers and he was generally regarded as one of the most important men of letters working in the United States. He was championed, not only by academic critics and scholars, but by the leading literary journalists of the day: Mencken, Rascoe, Van Vechten and others. When *Jurgen* was exonerated of the obscenity charges against it, a legal precedent was set which later made the more famous exonerations of Joyce's *Ulysses,* Lawrence's *Lady Chatterly's Lover* and Miller's *Tropic of Cancer* much easier.

There are good reasons for Cabell's subsequent fall into obscurity—chief among them that the sense of life he presents in his style and his choice of fictional subject matter is not one with which any very large number of people could feel a strong affinity. It is a not always attractive combination of cynicism and idealism which simultaneously proclaims the importance and even the cruciality of values, and subjects all those who actively pursue such values to a particularly effective and even corruscating wit. But the fact is that Cabell is one of the most unusual and one of the most technically proficient writers ever to work in the English language. And his style alone, not to mention his sometimes considerable ingenuity as a creator of plots and characters, can be a source of great pleasure to a reader who will make the initial effort to understand him. For someone with an interest in philosophy and sense of life, his work is the place to begin. *Beyond Life* is the first volume of an inter-connected series of around 25 volumes which Cabell published under the master title The Biography of the Life of Manuel. It includes essays, novels, short stories, poems, a play and a genealogical study. It is one of the most incredibly complex and fully integrated achievements in literary history. And

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Beyond Life is its non-fiction introduction, the book in which Cabell details in essay form the idea which will be worked out in a variety of other forms over the next 24 or so volumes. [8]

In essence, Cabell's idea is that there are three major attitudes toward life—in the terminology I have been using, that all senses of life may be classed into three broad categories—which Cabell calls the Gallant, the Chivalrous and the Poetic. The Gallant view of life, which Cabell superbly dramatized in *Jurgen,* holds that fun, short-range pleasure, is the most important aspect of life; the Chivalrous view, which is beautifully concretized in the novel *Domnei,* holds that moral values and action in their behalf are the most important things in life; the Poetic view, which is the subject of Cabell's finest novel, *Figures of Earth,* holds that art and the immortality it offers the artist (shades of Unamuno!) is the most important thing in life. Unlike Unamuno, however, Cabell doesn't take his descriptions of these "feelings toward life" and explore their implications for philosophy. Instead, he traces the presence of each world-view in turn through the work of a dozen poets, playwrights and fiction writers, exploring the ways in which the Gallant, Chivalrous or Poetic view affected each artist's work. And, along the way, he offers a highly original and beautifully formulated theory of the way in which works of art can shape people's actual lives, so that, in a certain sense, one generation usually tries to live the style presented in the literary art of the preceding generation.

WORLD HYPOTHESES

By far the most substantial book I've found on the issue of philosophy and sense of life is Stephen Pepper's *World Hypotheses.* Pepper teaches philosophy at Berkeley. He is the author of dozens of books and articles, many of them on problems of aesthetics, the field in which he has done most of his most distinguished work. *World Hypotheses* is an effort to get at the origins in experience of our most general theories, our metaphysical doctrines, our world hypotheses; it is an effort, not only to get at the experiential foundations of these ideas, but also to elaborate the grounds on which such theories may claim to be called knowledge. In this sense, it is a defense of the possibility of metaphysics. It is a far-reaching book with a great deal crammed into its nearly 350 pages, and it has convinced me of two things: first, that Stephen Pepper is one of the most interesting and valuable writers doing philosophy today, and second, that one reading of his book is not sufficient to form a considered judgement of its importance.

The book's importance as a contribution to knowledge of philosophy and sense of life, however, is more quickly accessible because this material makes up only a small part of the book. Pepper believes that most of the philosophy ever done in the Western World may be classified under one or more of about seven or eight very general theories which he calls World Hypotheses. He argues that the bulk of the important philosophy, the philosophy that has proved itself more or less adequate by being applicable to actual people's lives, is an outgrowth of four main World Hypotheses, which he calls Formism, Mechanism, Contextualism and Organicism. And he believes that each of these world hypotheses is based in a "root metaphor," an experiential, common sense observation about what is *important* in the world.

> A man desiring to understand the world looks around for a clue to its comprehension. He pitches upon some area of common-sense fact and tries if he cannot understand other areas in terms of this one. This original area becomes then his basic analogy or root metaphor. He describes as best he can the characteristics of this area, or, if you will, discriminates its structure. A list of its structural characteristics becomes his basic concepts of explanation and description. We call them a set of categories. In terms of these categories he proceeds to study all other areas of fact .... He undertakes to interpret all facts in terms of these categories. As a result of the impact of these other facts upon his categories, he may qualify and readjust the categories, so that a set of categories commonly changes and develops. Since the basic analogy or root metaphor normally (and probably at least in part necessarily) arises out of common sense, a great deal of development and refinement of a set of categories is required if they are to prove adequate for a hypothesis of unlimited scope. Some root metaphors prove more fertile than others, have greater powers of expansion and of adjustment. These survive in comparison with the others and generate the relatively adequate world theories.
>
> As a simple illustration of the growth of a root metaphor let us consider and imaginatively reconstruct the probable development of the Milesian theory, which was the first self-conscious world theory in European thought. Thales, wondering about the world, and dissatisfied with the explanations of mythology, suggested, "All things are water." He picked out a range of common-sense fact, water, which impressed him, a citizen of a seaport town, as likely to possess the secret of all things. Water stretches far and wide. It evaporates, generating fogs, and mists, and clouds, and these in turn condense in dampness and rain. Life springs out of its slime and mud, and the absence of water is death.
>
> The root metaphor of this theory thus ultimately turns out to be the characteristics of a basic material out of which all the facts of the universe can be generated by certain processes of change. (pp. 91-93)

In effect, one comes to regard water and its changes of form as the most important aspect of reality. His philosophical views are thereby affected. But the same is true, according to Pepper, of the more sophisticated and more adequate philosophical views which he has called Formism, Mechanism, Contextualism and Organicism. The Formist believes the phenomenon of similarity among things to be the most important aspect of reality, he adopts a philosophical view which stresses the abstract, the formal, the conceptual. The Mechanist sees the model of the machine, whose every part is functional and whose every part behaves according to laws which determine its behaviour, as the most important aspect of reality; he adopts a philosophical view which stresses the epistemology of the physical sciences, the orderliness of nature, the discovery of natural laws. The Contextualist believes the event, the instant of time in which an infinitude of concretes interpenetrate in an almost infinite number of ways, to be the most important aspect of reality; he adopts a philosophical view which stresses the pragmatic, utilitarian, even somewhat arbitrary nature of the way we perceive and conceive the world, leaving out its richness of detail for our own convenience and equating truth with usefulness. The Organicist sees the model of the integrated organism which is more than the sum of its physical parts as the most important aspect of reality; he adopts a philosophical view which stresses the necessary integration of all the universe, whose processes need only be discovered by men.

This summary is appallingly sketchy, leaving Pepper's analysis remaining shadowy and indistinct. Pepper himself, though, devotes an average of forty pages to each of the four main world hypotheses, as well as briefer spans to a number of less important theories (Mysticism, Animism, Systematic Eclecticism) and he only scratches the surface of the ways in which initial sense of life value-judgements can affect one's later abstract thought.

WHY BOTHER?

But why do more than scratch the surface? Why spend time on the subject at all? Poet Bill Hilley's response to this question is to wonder quite pragmatically what use there is in bothering about the way our senses of life affect our philosophies. The answer, I think, is that the more we know about the factors which influence our thinking, the better equipped we are to make sure that the influence is either beneficial or dispensed with. Everyone is, after all, what he is; if one's purpose is to prolong his life as happily as possible, one needs philosophy to solve certain specifiable kinds of problems. But one's sense of life, one's implicit view of what is most important in the world and most worthy of his attention, may be wrong in the sense that it does not direct his attention to those aspects of life which are *in fact* the ones most important to the fulfillment of his purposes. If one never learns the role of sense of life in

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developing his philosophy, if one never introspects to determine what his sense of life is and what effect it may be having on his thinking, he will fail to fulfill his purposes—he will fail to live a happy life.

An interesting question in this regard is: what sense of life would lead a philosopher to the views which are codified under the name Objectivism? Perhaps even more relevant, what sense of life would lead a person to adopt the philosophy of Objectivism? Bearing in mind that a sense of life is a highly complex phenomenon which is far from exhausted, which is not even adequately described for ordinary purposes by a simple listing of a few key value judgements, this question will have to be saved for another article—or possibly even a book.

The books I've been discussing do, of course, characterize senses of life in terms of one or a few key value judgements—it is most important to go on living; it is most important to have fun; it is most important that things are similar; it is most important that things are integrated as an organism is integrated. In so simplifying the issue, these books do the subject of philosophy and sense of life a kind of disservice. But they do it an even greater service by illuminating the nature of the connection between the two. *If* people's senses of life were accurately describable in terms of a few notions, instead of in terms of a collection of not necessarily integrated notions about thousands of things, complex philosophical consequences would follow. What then can be said of the way things really are?

Of course, of the three books under consideration here, only the Unamuno is properly a book about philosophy and sense of life. I say properly, because the ultimate test of a true interpretation of any symbolic formulation is its coherence, that is, the extent to which the interpretation accounts for all the information presented (including *how* it is presented), without contradicting any of it. Still, it is interesting and useful, I think, to regard all three books as books about philosophy and sense of life. In any event, it is certainly symptomatic of something in my own sense of life that I consider the question as significant as I do. And it is further symptomatic, for better or for worse, that I take pleasure in remarking that fact. ◻

NOTES AND REFERENCES

[1] Arthur Mizener, *The Sense of Life in the Modern Novel* (Houghton Mifflin 1964).
[2] Ayn Rand, "Philosophy and Sense of Life," *The Objectivist,* Vol. 5, No. 2, Feb. 1966, p. 1.
[3] *Ibid.,* p. 3.
[4] *Ibid.,* p. 6.
[5] Ayn Rand, "Art and Sense of Life," *The Objectivist,* Vol. 5, No. 3, March 1966, p. 1.
[6] "Philosophy and Sense of Life," p. 4.
[7] Susanne Langer, *Feeling and Form* (Scribners 1953), p. 351.
[8] The exact number of volumes in the series is a matter of dispute, for reasons too numerous and too confusing to go into here. The smallest number I've seen listed is eighteen; the largest is twenty-five.

YESTERDAY

Tomorrow crashes
Against the pavements
Like a quail
Shot from the sky.

I pulled the trigger
Which killed today
Years ago,

When I locked
Myself in a closet
Afraid
My mother would hit me.

Letting tomorrow
Roll off my tongue
Like a bright penny,
Lost in the grass.

Jan E. M. Haas

Sneers travelled hot dusty sunlight
to brown-limbed girl
returning on the road from the mountain.

She had gone first a young child
looking for angels or perhaps God.
The mountain had itself met and blessed her —

Had firmed her, so that stares
from dirty eye-wrinkles
fell aside
and prods from frightened souls
retreated.

What do they of skyless eyes
know
of naked flesh on cool stone?

Adrian

Did You Know . . .

That forced association is the necessary precondition to the development of mental illness?

That altruism is best understood not as an ethical doctrine but as a psychological disorder? That its acceptance is never due to logical persuasion, but rather to a desire to avoid conflict with one's forced associates?

That public education necessarily impairs the cognitive abilities of all those who are subjected to it? That most unfulfilled intellectual goals are due to procrastination, fear of revealing mistakes, and the impulse to intellectual haste? That these attributes are in turn due to years of forced confinement in the institutions of public education?

That cognitive impairments can be overcome, if you know how to go about it?

That argumentation, though widely condemned, is the basis of the development of one's ability to reason?

That the Soviets tried to produce chess masters by teaching chess in the schools, and discovered that mastery could not be taught? That this truth is valid in all fields of intellectual endeavor, not merely in chess?

That the forces which have debased the dollar and brought about rampant domestic inflation do not lead merely to economic collapse, but to nuclear war?

That the Soviet Union has recently massed sixty divisions on the Chinese border? That the number of Russian tanks in Central Europe has been increased from 14,000 to 20,000—giving the Warsaw Pact forces a better than 3-to-1 advantage over NATO? That such massing of forces is grossly disproportionate to what the Soviets would require if they were intended, as they say, for defensive purposes?

That the Soviet SS-9 missile delivers a payload which is many times larger than would be needed to destroy even the world's largest city—that its only conceivable purpose is to destroy hardened U.S. missile silos? That there is no need to destroy our silos if they are empty—and that if they are *not* empty, the Soviets are attacking first?

That the Soviet "siege mentality" which our liberals urge us to cure by unilaterally disarming is in fact not due to external pressure exerted on the Soviet Union, but rather to the GULAG system—the secret police, the torture chambers, the death camps, and the non-objective law—which ensures that only paranoiac madmen can ever reach the top of the Soviet administrative hierarchy?

That it is impossible to control a foreign nation without the capability to send troops across its borders, and that this means the Birch Society's idea of a single, global conspiracy cannot be correct? That the idea that the CFR controls the Soviet Union via an unseen watchdog agency leads to a well-known type of logical fallacy? That each such unseen watchdog requires yet another watchdog to watch it, and so on, ad infinitum?

That "democracy or dictatorship" is a false dichotomy? That there exist numerous electoral systems which are superior to "one man-one vote"? That a system whereby you vote with your tax receipt would automatically prevent the currently popular practice of heaping taxes on the productive minority—since under such a system "heaping taxes" means "heaping votes"?

That DDT, much maligned and banned by the EPA, is probably history's greatest saver of human life?

That human waste amounting to millions of tons per year is winding up in the oceans rather than being recycled back to the farm and grazing lands from which it originated? That this vast process is ruining the land and, as a consequence, is steadily eroding the nutritional quality of the food you eat? That the root cause of this problem is the fact that rivers and oceans are "public domain"—i.e., are not privately owned?

That the Sahara, the world's largest desert, is man made? That nomadic overgrazing denudes the land of vegetation, that sunlight on the resulting bare earth generates a perpetual thermal which spreads at higher altitudes and keeps raincloud pushed away? That the entire Sahara, in time, could be turned into productive farm and ranch land simply by turning it over to private ownership?

That the chlorine which municipal governments add to the water you drink reacts with saturated fats in the blood, forming a sticky agglutinant which adheres to the walls of your arteries? That it is the cause of the atherosclerotic diseases which kill in excess of one million Americans each year?

That statistical attempts to demonstrate that punishment does not deter crime all rest upon a single fundamental logical fallacy—a fallacy which you can master and use against the advocates of so-called "rehabilitation"?

That the FDA kills more people than it saves? That by delaying marketing of the immense majority of drugs which are both safe and effective, the FDA causes needless human suffering and loss of life? That such costs vastly outweigh the benefits which accrue when an occasional unsafe or ineffective drug is discovered?

That welfare programs do not merely violate property rights, but that they kill more people than they save?

That restrictions on immigration do not raise wages, but lower them, since those immigrants who become employers add more to the demand for labor than the others add to the supply of it?

That mercury pollution is largely a myth and that oceanic mercury levels were higher a thousand years ago than they are today?

These and many other ideas have been discussed in past issues of *The New Individualist*, or will be discussed in future issues. Every one of them, we will freely admit, is debatable. You may not agree with us on every point. But we think you will be surprised at the extent to which these unfamiliar and often shocking positions *can* be defended. And you will also be surprised at the implications which many of them have for your own life and happiness. If you are interested and want to hear more so you can decide for yourself and, perhaps, take appropriate steps should you decide we are right, then we hope that you will subscribe today. For a limited time we are offering a six-month trial subscription (six issues) at the special low rate of only $3.00. We hope that you will join us!

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AYN RAND AND THE LITERARY CRITICS

Robert Greenwood

The failure of Ayn Rand's critics and reviewers to properly come to terms with her novels is known to those who have followed her career in the literary press. I propose here to examine the enormity of that failure, focusing upon particular aspects of published reviews that will illustrate the problem.

The basic problem can be stated in general terms: critics and reviewers have been unable to pass intelligent judgment on her work because they have never assimilated it; they cannot grasp its achievement because they have never risen as high as her point of view. And of these limitations they have no awareness, largely because they tend, as a group, to reduce philosophy to a set of accepted creeds, presuming the ends of philosophy (or philosophy as they conceive it) to be knowable in advance.

The characters in Ayn Rand's novels have been ridiculed. The ideas in her novels have been hotly contested. Even her literary methods have been disputed in the literary press. With the publication of each of her novels,[1] *We the Living* (1936) to *Atlas Shrugged* (1957), the contention has escalated. With the publication in 1969 of *The Romantic Manifesto,* which is concerned with Rand's aesthetics of the novel, the position of the literary press has become condemnation; the book is regarded as heresy against presumed ends. And her novels have rarely been considered on their own terms, either aesthetically or thematically.

The methods of literary judgment reflected in these reviews betray an appalling ignorance of the critical method. Even when Rand is reviewed by persons otherwise possessing the faculty of critical judgment, the reviews, if carefully analyzed, rarely rise above the level of opinion. Opinion, of course, is not responsible literary criticism.

The failure of critics and reviewers to regard her work organically (that is, to regard it in terms of the evidence of the book itself, allowing no outside considerations) is clearly evident. Those reviewers who focus on the personality of Ayn Rand, at the expense of the book, are falling into biographical entanglements, which are both gratuitous and uncertain in matters of literary judgment. These are only a few of the problems. There are errors of interpretation, errors of fact, errors of method, some of which I hope to isolate and identify in terms of their specific commission. Whatever else they may be, the published reviews of Ayn Rand's novels, where they fall short of authentic literary judgment, clearly demonstrate a tendency toward indoctrination.

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WE THE LIVING

Ayn Rand has written of *We the Living*[2] that in its larger sense it is not a novel about Soviet Russia but rather about Man against the Totalitarian State. All of the reviews of this novel focus upon the Soviet background, some at length. Nearly all describe it as "a novel of life in Russia today," but none understood the metaphor Rand intended. The reviewer for *The Saturday Review of Literature*[3] considered it a period-piece, largely an historical novel dealing with a particular period of Soviet history. The reviewer, Irina Skariatina, a Russian-born writer, described the period (the year 1922) as "one of the most chaotic in Russia's history," but goes on to say that "a new freedom" later embraced all the social classes. In concluding her review she displays considerable naivete when she remarks, "Thank God that period for my people has passed," a curious remark when one considers the record of Soviet history.

But the common complaint in the reviews of *We The Living* focuses upon the characterizations, centering for the most part upon Kira Argounova, the heroine. *The Saturday Review of Literature* said all the characters "display some form of weakness," but neglected to support that opinion with any evidence. *The Spectator*[4] said: "But towards Kira, who stands for individualism and those little things like scent and lipsticks which Mean So Much to a woman, Miss Rand is altogether too partial. If Kira had played the game with nice Red Andrei instead of nasty White Leo . . . we might have liked her better." Rand has juxtaposed items of luxury (lipstick and perfume) against a background of deprivation (starvation and brutality) to make a point. The reviewer in *The Spectator* may take such luxuries for granted, or so we may assume from the attitude taken, while to Kira they can never be taken for granted. Moreover, they are symbols of another world, "something from abroad," and they bring with them the suggestion of a better life, a promise of freedom. *The Spectator* would have preferred Kira to "play the game," to bend in her choice of values, be more willing to compromise. In other words, a Kira who is both a pragmatist and opportunist. Comrade Victor Dunaev is such a character in *We the Living,* and of all the characters in the novel he is the most contemptible. Comrade Victor "plays the game" by insinuating himself into the Party, by marrying a peasant girl merely to enhance his image before the Party, and finally by betraying his own sister and her lover to the G.P.U., and to prison in Siberia.

The New Statesman and Nation[5] said that while Kira reflected what must have been the fate of the young intellectuals under the Soviet regime, she "appears to have been a very tiresome young woman." The reviewer in *The Nation*[6] could find no reason to respect Kira as "Rand's spokesman," could discover no honorable or proper motivation to her characterization, and concluded with the statement that her views "would conceivably make her a mystic."

CONFLICT WITH THE STATE

To properly understand the characterizations in *We the Living,* they must be kept in focus against the background of the Totalitarian State, where the possibilities for freedom are so severely restricted, or absent altogether, that the milieu becomes deterministic. Those characters in the novel that do seek to choose personal values are thrown into conflict with the State; they struggle against a political determinism, not a determinism derived of biology or science (as with Naturalism). In such an environment every human action must be dedicated to the power and glory of the State; the pursuit of personal values is regarded as bourgeois, and worse. There is no concept of the individual; people are regarded as classes, masses, or collective units. When Leo Kovalensky is stricken with tuberculosis, he and Kira learn that he cannot be admitted into a State Hospital in the Crimea because he lacks status. He is *persona non grata* with the State. He has no Party card, no official status. He has even been expelled from the State University for unsympathetic views toward the Party, and for his aristocratic background. Kira visits a number of Party officials and pleads for Leo's life, but she is denied any consideration. In desperation, Kira seeks help from an admirer, Andrei Taganov, a Party hero and a member of the G.P.U. She becomes Andrei's mistress; he gives her enough money so that she is able to buy a hospital bed for Leo in the Crimea. Andrei, however, is not aware of Kira's motives. He does not know of Kira's love for Leo, or that his money will be used to save Leo's life.

Kira is forced into this deception of two men not because she lacks virtue, but

because she possesses virtue. Given the deterministic background of the novel, Kira acts to save Leo in the only way possible. Her deception is not one of choice as choice, but rather a consequence of forces beyond her control. If the characters of *We the Living* appear tragic, that tragedy is best understood not as a tragedy of individual competence or virtue, in the sense of personal failure, but rather as a tragedy of individuals denied the possibilities of freedom and choice by the State.

The New York Times complained that the novel blundered "into palpable improbabilities":

> Her novel is slavishly warped to the dictates of propaganda. . . . It is only the blind fervor with which she dedicates herself to the annihilation of the Soviet Union that has led her to blunder into palpable improbabilities. We refer strictly to artistic probability: we cannot question the facts upon which Miss Rand's political attitude is based.[7]

This reviewer appears to say that while he cannot question the facts upon which Rand's political attitude is based, she has, in her fervor, distorted art into propaganda. The reviewer does not identify any of the "palpable improbabilities." To determine whether this criticism has any merit we must examine for ourselves certain key elements of the novel. In terms of plot, is it improbable that Leo would be stricken with tuberculosis and that his life would hang on the possibility of admission into a hospital in the Crimea? Is it improbable that Kira would act as she did to save Leo? Is it improbable that Comrade Victor would betray his sister to the G.P.U. in order to enhance his prestige with the Party? Is it improbable that Leo Kovalensky would become, in his frustration with the State, dissolute and irresponsible? Is it improbable that Andrei Taganov would commit suicide when he realized that his idealism had been betrayed by the Party, and when he realized that Kira was lost to him? Then is it improbable that Kira, in a last desperate attempt for freedom, would be shot and killed trying to cross the border?

We are finally left to wonder what these "palpable improbabilities" are. Could Ayn Rand's use of language or style possibly be construed as propagandistic? No, for the same reviewer tells us she writes with "a remarkably fluent English. . . . Actually Miss Rand can command a good deal of narrative skill, and her novel moves with alacrity and vigor upon occasion."

In *We the Living,* Rand wants the reader to see the horror and despair of life in the Totalitarian State. She has deliberately painted a severe and depressing picture; she has pulled no punches. The death scene of Maria Petrovna is full of agony and hopelessness. The farewell scene of Sasha and Irina on their way to separate concentration camps in Siberia is a crushing and unforgettable piece of writing. It is forceful writing, disquieting in its implications, but it should never be mistaken for propaganda.

THE FOUNTAINHEAD

In *The Fountainhead* (1943), Rand allows her characters unrestricted freedom of choice. The plot develops out of such choice and the consequent acts of choice. The conflict in the novel is largely a classic conflict between hero and villain, both drawn larger-than-life. What is remarkable about the hero, Howard Roark, is that he is one of the few representations in all literature of the guiltless hero.

Historically, the hero in art and literature has been portrayed almost exclusively as representative of orthodox Christian values. In medieval times a vast literature was developed around the symbol of the Holy Grail and the quest for it, a huge corpus of legend, romance and allegory. In the Arthurian Legends, the search for the Grail was the source of most of the adventures of the Knights of the Round Table. The Knight in his quest became the model for the hero. And the characterization of the Knight-Hero incorporated most of the orthodox Christian virtues. He frequently dedicated himself to the cause of charity (altruism), even though it might cost him his life (sacrifice). Consider how often in literature the hero is required to make the supreme sacrifice. It is usually through an act of sacrifice that the hero finds his redemption, his personal and spiritual salvation.

Since his character was conceived largely in terms of Christian virtues, or the ethical teachings that derive out of Christianity, the Knight-Hero necessarily inherited the frailties of Man, notably original sin. The doctrine of original sin holds that guilt or sin is inherited by all persons. The notion of guilt or sin, in this sense, becomes both individual and collective. And since both sin and guilt are inherited, we are all of us imperfect, not only in the historical sense but in the contemporary sense as well.

That historical concept of the hero in Western civilization (and we are here concerned with its representation in literature) has provided the model for the hero in nearly all our art. As for the mass of literature centering around the symbolism of the Holy Grail, one must realize that it is enormous. It exists in a variety of languages, in both ancient and modern forms. A few modern examples: T. S. Eliot has used the Grail symbol in his poem *The Wasteland.* Raymond Chandler's detective, Philip Marlowe, is fashioned after the Knight-Hero, and we are introduced to this comparison on the opening page of his novel *The Big Sleep.* Dashiell Hammett's character, Sam Spade, may be considered as an archetypal representation of the Knight-Hero, and the mythic representation of the Grail is now in the form of the Maltese Falcon. Hammett, however, gives a 20th-century-twist to the Grail quest. For when Sam Spade finally lays his hands on the Falcon, he discovers it to be a fake. The original is unobtainable. Sam Spade is as unsuccessful in the quest as Galahad had been.

The characterization of Howard Roark in *The Fountainhead* breaks completely with this tradition of the hero. Roark is a representation of Man as an end in himself. Roark has not inherited the guilt of the historical past, or of the world in which he lives and works. He will not accept the view that an individual is to be regarded as a means to serve any purpose other than his own. Roark is not motivated by the ethical teachings of Christianity. He is motivated by his own originality. Roark's goal is to shape matter into utility and beauty, to transform chaos into form, repression into the release of his own creative energy. His characterization has generally been criticized in the literary press as a projection of egotism. But Roark's accomplishments could never have been achieved through mere egotism; mere egotism is simply a posture. Roark is always purposeful, his purpose informed by the originality of his vision.

The published reviews focusing upon the characterization of Howard Roark advance the conceit that Roark is open to criticism *because* of his unique virtues. *The Saturday Review* wrote:

> Probably it was a mistake to make him a genius. . . . He is a supreme and unanswerable egotist, and he enunciates a theory of social, or anti-social, civilization, that of the unbridled individualist, the only fountainhead of progress. . . . There is a confusion of values here which is mirrored in Roark's own headlong egoism throughout the book. . . . Roark, and Miss Rand, leap into an abyss of conscienceless individualism. The point need not be argued further here. It is the flaw in Roark, who is a genius but not a great man.[8]

Considered against the background of my remarks on the traditional concept of the hero, I do not think these words deserve much comment. But if they need further rebuttal, a quotation from John Steinbeck's *East of Eden* will answer:

> Our species is the only creative species, and it has only one creative instrument, the individual mind and spirit of a man. Nothing was ever created by two men. There are no good collaborations, whether in music, in art, in poetry, in mathematics, in philosophy. Once the miracle of

creation has taken place, the group can build and extend it, but the group never invents anything. The preciousness lies in the lonely mind of a man . . .

And this I believe: that the free, exploring mind of the individual human is the most valuable thing in the world. And this I would fight for: the freedom of the mind to take any direction it wishes, undirected. And this I must fight against: any idea, religion, or government which limits or destroys the individual. This is what I am and what I am about. I can understand why a system built on a pattern must try to destroy the free mind, for that is one thing which can by inspection destroy such a system. Surely I can understand this, and I hate it and I will fight against it to preserve the one thing that separates us from the uncreative beasts. If the glory can be killed, we are lost.[9]

Roark's "headlong egoism" is criticized further when that reviewer suggests Roark might have found an alternative: "Arrowsmith, we remember again, came out of his search with quite other conclusions, without having to embrace collectivism."[10] In *Arrowsmith,* by Sinclair Lewis, the alternative is provided in the form of withdrawal from society, or as one of the characters in the novel puts it: "It's a kind of mis'able return to monasteries." In order to find the privacy to do his work, Martin Arrowsmith leaves his wife and child, his job, and goes to live in a remote cabin in Vermont. With a scientific colleague, he pursues his experiments in bacteriological research; Arrowsmith has rejected the world. This is not the alternative Howard Roark would choose.

CONTEMPT FOR CHARACTERS?

Architectural Forum wrote: "[Miss Rand's] contempt for people . . . is appalling in its fanatical intensity, and to match it one has to return to *Mein Kampf* . . . Millions live for the comics, and perhaps an appreciable percentage will go for *The Fountainhead.*"[11] This reviewer, as far as I can determine, is the first to have the doubtful distinction of comparing Rand's work to Hitler. (I shall comment on that comparison in the section dealing with *Atlas Shrugged.*)

Diana Trilling, writing in *The Nation,* would have us see the characterizations in *The Fountainhead* on the level of the comics:

Roark . . . is a giant among men, ten feet tall and with flaming hair, Genius on a scale that makes the good old Broadway version of art-in-a-beret look like Fra Angelico. And surrounding Howard Roark there is a whole galaxy of lesser monsters—Gail Wynand, who is Power, and Peter Keating, who is Success, and Dominique, who is Woman. When Genius meets Woman, it isn't the earth that rocks, but steel girders. Surely *The Fountainhead* is the curiosity of the year, and anyone who is taken in by it deserves a stern lecture on paper-rationing.[12]

Nora Ephron writes in much the same manner.[13] Such writers would have us visualize the characters in *The Fountainhead* as one-dimensional, drawn in a style of pictorial burlesque, with balloons floating over their heads as a substitute for dialogue. This might appeal to those who think in only the most simplistic terms, who can visualize abstractions only as distorted particulars (and miss the larger dimensions of meaning), or to those who are intent on mischief-making. I suspect the worst. This method (if it can be called method) lacks the honesty of literary criticism. Like gossip, it turns on exaggeration and draws its conclusions from exaggeration. Moreover, this kind of writing is demonstrative; the writer wants to demonstrate to his readers his own wit and cunning, usually at the expense of the subject. The attitude of the writer seems to say: "You aren't really going to take this seriously, are you?"

In analyzing the character of Peter Keating in *The Fountainhead,* Hazel Barnes argues that Keating is not an example of the altruist. She says: "Rand, of course, argues that such mistaken self-seeking [as Peter Keating's] is the inevitable result of altruism because of the inherent falsity of the doctrine. But the cynical use of altruism as a cover by her villains is in no way an application of the doctrine, not even a mistaken one. What motivates Peter Keating is not the desire to win the approval of others because he can't live up to Christian (or Utilitarian) command to sacrifice himself to the good of others."[14]

There may be some confusion here, not only in Barnes' implied definition of altruism (and which she argues Keating is not an example of), but also in her failure to account for the dual nature of altruism. Keating may be an altruist in the nominal sense; that is, he may not be a purist in his altruism but the results are still the same. He can perhaps be better described as both nominalist and pragmatist in his altruism. Keating will give of himself when it is pragmatic to do so. On the other hand, Keating will take when it is pragmatic to do so. If he does not act as purist, that will not alter the consequences of the act. The duality of altruism involves both giving and taking. A person who is expectant, even in the pragmatic sense, and counts on receiving the unearned, may be said to countenance altruism, to practice it passively, as it were, in the transactional sense, as receiver, not giver. Keating is expectant of Ellsworth Toohey. Keating is expectant of Howard Roark. Keating is not aware, however, of the convolutions implicit in altruism, nor of the possible consequences. Thus when Toohey demands of Keating, "Who designed Cortlandt Homes?" Keating is totally confounded and demoralized.

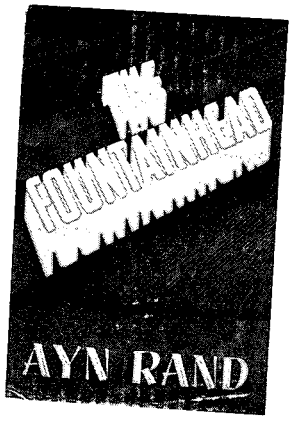
Keating's dilemma at this point may be seen as a consequence of his actions. Others had shaped his convictions. Others had provided his motivation. In that sense he had existed for others, not himself. Finally, he had copied the work and values of others, who, like himself, lacked originality, and had sought self-esteem through the approval of others. He had regarded Toohey and Roark as a means to his ends, and conversely had been willing to serve as means to the ends of others. The further consequences of his actions have left him with a lack of authentic self-esteem, and a general disillusionment in his attitude toward others.

Ms. Barnes further argues that the cynical use of altruism "as a cover by [Rand's] villains is in no way an application of the doctrine, not even a mistaken one." Barnes has a purist's view of altruism; she fails to recognize its pragmatic aspects, and she fails to see the cause and effect relationship of altruism in the real-world sense. Ellsworth Toohey's appeals are based in the ethics of altruism (what else?) and they are the means to his ends. Toohey is aware of the nature of altruism and if he uses it cynically, in the exploitative sense, it makes him a more consummate villain. Barnes would have him a purist, or so it would appear, and I think the root of her complaint is that she cannot reconcile villainy with altruism. Rand, of course, never intended Toohey as a purist.

Ms. Barnes does not mention Ellsworth Toohey by name, nor do any of the reviews of *The Fountainhead,* with but one exception. It is curious to consider that omission, especially when we realize it is the character of Roark that has been singled out for criticism. It is as though the roles of hero and villain had been reversed, with Roark the specific villain, and Toohey the nameless hero. Roark is the target of the reviewers: he is identified as the "unbridled individualist," "the unanswerable egotist," etc.

The one exception is Lorine Pruette's review in *The New York Times:*

Ellsworth Toohey is a brilliant personification of a modern devil. Aiming at a society that shall be 'an average drawn upon zeros,' he knows exactly why he corrupts Peter Keating and explains his methods to the ruined and desolate young man in a passage that is a pyrotechnical display of the fascist mind at its best and worst: the use of the ideal of



altruism to destroy personal integrity, the use of humor and tolerance to destroy all standards, the use of sacrifice to enslave.[15]

Ms. Pruette's review was the only one to describe *The Fountainhead* as a novel of ideas. As far as I have been able to determine, she is the only reviewer who correctly identified the ideas dramatized in the novel, who saw Roark as a new model for the hero in literature, and the only one to recognize the characters as representations of romantic literature.

ATLAS SHRUGGED

The symbol of the dollar sign dominated *Atlas Shrugged* (1957). Critics have sensed that in a world structured upon Randian values the dollar sign would supersede the cross. Hazel Barnes is perhaps the most astute of Rand's critics in this respect. But while in partial agreement with Rand on the inadequacy of the cross as a symbol of human aspirations, Barnes rejects the dollar sign as its successor: "I do not think we will improve things by replacing it [the cross] with the dollar sign. That is all too good an emblem for Objectivism, suggesting that happiness is for those who have the wherewithal to pay and in the currency set by those who are in power. Existentialism seeks something less subject to the arbitrary whims of the market."[16]

John Galt explicitly defines the dollar sign as the symbol of free trade and free minds. Historically, the origin of the dollar, in the metaphorical sense, is the origin of an objective value. Prior to 1792, the United States had no circulating exchange it could call its own (other than the discredited Continental dollar). A vast amount of foreign money, minted in Europe, still circulated in the United States. The Colonies had issued their own coinage but it was not uniform in value. In 1792, under authority of the Mint Act, the first mint was established at Philadelphia. The purpose of the mint was to issue a coinage of gold, silver, and copper based on an *objective standard of value.* Where previously there had been widespread confusion of money values, and no objective referent to value, the dollar became the monetary unit of the United States. With that background in mind, the dollar sign in *Atlas Shrugged* can clearly be seen as the symbolic equivalent of an *objective standard of value.*

The coinage of the European mints, as far back as ancient Rome, was designed with the portraits of Emperors and Kings, Popes and Saints. The United States dollar, as far as I have been able to determine, was the first money to represent the concept of Liberty. The Congress had originally wanted the portrait of George Washington on the first dollars, but Washington, rejecting the tradition of European coinage, had declined. The earliest dollars minted at the Philadelphia mint depict Liberty as female, almost goddess-like, in sharp profile and with long, flowing tresses, the word "Liberty" circumscribed by stars above her head. The Mint Act of 1792 had specified that the dollar bear "an impression emblematic of Liberty."

What objective standard of value does the cross represent? As Miss Barnes has said, the cross is an ambivalent symbol. But more than that, it is a symbol of suffering and self-sacrifice, of redemption based on the notion of mystical salvation. It suggests that the only reward for life on this earth is suffering, and that deliverance is possible only through suffering and death.

There is no suggestion of liberty or freedom in the symbol of the cross. If any connotation of liberty or freedom can be derived out of the cross it is in the salvation or redemption that comes after death. And this can be understood only in the mystical sense, or in the sense of the supernatural. Considered in the literal sense, the crucifixion represents the exact opposite of liberty.

I have endeavored to point out that the dollar sign in *Atlas Shrugged* does not stand for the "arbitrary whims of the market," as Ms. Barnes has put it, but rather as symbolizing an objective standard of value and the condition of liberty that is synonymous with such a standard. I have not dwelt on this matter merely to dispute Barnes. Rather my intention has been to provide a key to the understanding of *Atlas Shrugged.* The contrasting symbolism of the dollar sign and the cross, in its larger sense, should be seen as a contrasting of two moralities. The morality of the historical world is represented by the cross. The morality of a new and better world is represented by the dollar sign. The consequences of the old morality are dramatized in *Atlas Shrugged;* the civilized world is in decline, reckoning or judgment is at hand. But the possibilities of a new morality exist, based on the premise of a rational universe, with rational Man considered as first cause and prime mover. Where *The Fountainhead* dramatized the concept of a new hero, *Atlas Shrugged* dramatizes the concept of a new morality.

CENSORIAL ATTACKS

Probably no novel has challenged so many conceits of knowledge as has *Atlas Shrugged.* For those who believe that it is possible to know ends in advance, and who hold those ends as the good, the novel is heresy. In the published reviews there is virtually no effort made to identify the ideas of the novel and, having identified them, debate them. What is substituted for critical analysis is misrepresentation and vituperation.

One form of misrepresentation says the novel is derivative of Nietzsche, another of Hitler. Another describes the book as an act of hate; still another suggests the ideas of the novel are madness, or that if followed, will lead to madness. These misrepresentations, in one form or another, will be found scattered among the reviews. (There are one or two exceptions, I am happy to say.) If a consensus of attitudes can be found in most of these reviews, it will include one or more misrepresentations. And if there is an overriding consideration or attitude to be discerned among these misrepresentations, the one thing most have in common, I think it can be described as *censorial.*

The Nietzschean tag is a subterfuge used to discredit the novel. Throughout the reviews one encounters the words "Superman," "will to power," "*Ubermensch,*" etc. *Time* wrote: "Is it Superman—in the comic strip or the Nietzschean version?"[17] *The San Francisco Examiner* said: "But there is an even stronger resemblance in her work to Nietzsche's notion of the superman. And, like his books, hers fascinates with its imagination, melodrama, and the long-winded, often preposterous exaggerations with which she says things."[18] *The National Review* equates the Nietzschean superman with an "elite of technocrats," and concludes that it "can only lead into a dictatorship, however benign, living and acting beyond good and evil . . ."[19]

The Nietzschean association with *Atlas Shrugged* is patently false. The *Ubermensch,* in Nietzsche's terms, is beyond morality, or more precisely, beyond good and evil. Rand's heroes are motivated by a rational morality, not irrational whims. The will to power, according to Nietzsche, is of the blood, of intuition and instinct. The morality of *Atlas Shrugged* is of the mind. Nietzsche represents the subjectivist theory of ethics. *Atlas Shrugged* represents an objective theory of ethics.

The Chicago Sunday Tribune complained of Rand's attack on mysticism and stated that her ideas of mysticism "seem derived of Hitler rather than Meister Eckhart or Rufus Jones. For her a mystic is a parasite in spirit and in matter, 'a man who surrendered his mind at its first encounter with the minds of others.' No, Miss Rand, a mystic is a man who

insists upon using those areas of his mind which you block off."[20] The assertion here is that Hitler was not a mystic; the reviewer is also of the opinion that mysticism, in the sense of Eckhart or Jones, is desirable. But Hitler was a mystic. Any person who demands obedience from others, who imposes his whims upon others, and who seeks power over others, employing the means of faith and force, is unquestionably a mystic. And finally, when this reviewer refers to "those areas of the mind," we must take this to mean the subjective. Meister Eckhart presented a theory of philosophy based upon paradox, and Rufus Jones asserted that the revelations of Quakerism were rooted in a movement which took shape from the great current of mystical religion flowing out of the historical past. The *Tribune* reviewer would have us believe that Rand can be faulted for not exploring the subjective and the mystical, and that her novel is less human for it.

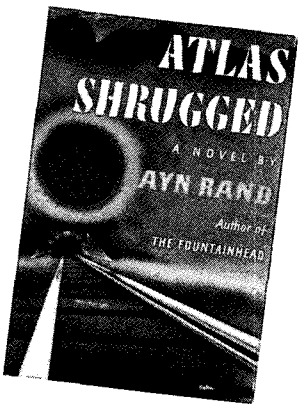
Having reached the conclusion that *Atlas Shrugged* is derivative of Nietzsche, and that Nietzsche is the equivalent of Hitler, Whittaker Chambers in the *National Review* proceeds to discuss what he considers the "dictatorial tone" of the novel:

> Out of a lifetime of reading, I can recall no other book in which a tone of overriding arrogance was so implacably sustained. . . . Therefore, resistance to the Message cannot be tolerated because disagreement can never be merely honest, prudent or just humanly fallible. Dissent from revelation so final (because, the author would say, so reasonable) can only be willfully wicked. There are ways of dealing with such wickedness, and, in fact, right reason itself enjoins them. From almost any page of *Atlas Shrugged,* a voice can be heard, from painful necessity, commanding: "To a gas chamber—go."[21]

The reference to the gas chamber is incredible and outrageous. That Chambers could have read the novel (how much of it could he have assimilated?) and completely missed Rand's repeated warnings against the use of force is no less incredible. Those words--"To a gas chamber—go"—are violent. They are not Rand's words; in *no way* do they represent her thought. Those words were written by Chambers. Whatever violence they express, and it is considerable, is of his doing, not Rand's.

Elsewhere Chambers states that Rand is not calling for a dictatorship, rather "an aristocracy of talents." But in the modern world, he continues, the preconditions of aristocracy no longer exist, and any contemporary impulse toward aristocracy must inevitably end in dictatorship. It is clearly a mistake for Chambers to say that Rand advocates an aristocracy. Rand argues for individual ability, not class privilege. Rand argues for individual self-interest, not inherited position. Rand argues for individual freedom, not collective constraint.

One final comment on this matter. Rand has stated that the only way of changing people is through knowledge, and specifically through the means of rational persuasion. If people are not receptive to knowledge or persuasion, she continues, then they must be left to their position. Nowhere in *Atlas Shrugged* does she advocate force. On the contrary, she admonishes repeatedly against force. The mystic uses force. To the mystic, reason is deception. The mystic seeks to rule others, not to persuade others.



ACT OF HATE?

Having come by way of Nietzsche and Hitler, the next equivalency in the pattern of misrepresentation is to describe *Atlas Shrugged* in terms of hate. *Atlantic Monthly* described the novel as an "act of hatred," and in conclusion said: "What she [Rand] apparently fails to perceive is that the outlook which animates her book is an extreme expression of the aggressiveness and power worship which have been the Black Death of this century."[22] *Commonweal* wrote: "Miss Rand's book is hardly acceptable as a novel and her premise proceeds from hate."[23] *Saturday Review* charged: "The book is shot through with hatred."[24] Granville Hicks wrote in *The New York Times:* "It would be pointless to discuss either the logic or the feasibility of the program Miss Rand so vehemently puts forth. What is important is the spirit in which the book is written . . . it seems clear the book is written out of hate."[25]

Since Rand has so closely identified herself with her fictional heroes, and to the extent her heroes are representations of herself and her own sense of life, I think the best way to examine this charge is to consider a scene from *The Fountainhead.*

The scene is where Howard Roark and Ellsworth Toohey meet by chance one evening at the Stoddard Temple. Toohey has succeeded in blocking several of Roark's commissions. He feels a sense of power over Roark. The Stoddard Temple has been converted into the Stoddard Home for Subnormal Children, and Roark's original design has been changed into an unrecognizable conglomerate. Toohey seeks to provoke Roark. He says: "Mr. Roark, we're alone here. Why don't you tell me what you think of me? In any words you wish. No one will hear us."

Toohey may have more than one motive in asking that question. But what he seeks most is to provoke a feeling of hate and outrage in Roark. Toohey waits expectantly for the reply, hoping Roark will become commonplace, lose his control, and perhaps shout, "I hate your guts, you sonofabitch!" Obviously such a reply from Roark would have pleased Toohey. Why? Because he would have undone Roark, diminished him as the exceptional man, and brought out the meanness, the frustration, the despair. Toohey would recognize that, even welcome it. Moreover, Toohey may be something of a masochist, seeking some kind of neurotic pleasure as the object of Roark's anticipated rage.

Roark simply replies, "But I don't think of you."

By doing none of the things Toohey anticipated, Roark retains his integrity. Roark does not hate. As Rand has put it herself: emotion is not a means of cognition. And this is the crux of the matter. *Atlas Shrugged* was not written from the premise that emotion (or hate) is a means to knowledge. If certain critics have failed to assimilate the ideas in the novel the problem may in fact be one involving the means of cognition, but I suggest it is *their* problem, not Rand's.

The final misrepresentation suggests that the ideas of the novel are madness, or will lead to madness. It represents the most distorted form of anti-Rand propaganda. Some examples: "lunatic flights of fancy," "crackbrained" *(Atlantic Monthly);* "madmen," "lunatic fringe," "paranoiac nonsense" *(New Leader);* "Perhaps most of us have moments when we feel that it might be nice if the whole human race, except for us and the few nice people we know, were wiped out; but one wonders about a person who sustains such a mood through the writing of 1,168 pages and some fourteen years of work" *(New York Times.)* Similar comments appear with regard to her other books. Of *For the New Intellectual, New Individualist Review* wrote: "The ludicrously mistitled 'philosophy of Ayn Rand' is a sham. To those who are traveling her road I can only suggest its abandonment—for that way madness lies."[26] And *The New Republic* on *The Romantic Manifesto:* "egomania," "paranoia," "men in white coats," "neurotic babble," etc.[27]

Madness in literature, as the critic Yvor Winters has defined it, consists of a concern for the supra-human; it does not deal with human, that is, moral experi-

ence. Winters has further defined madness as obscurantism; that is, rooted in a process which substitutes obscurity for reason. As examples, Winters pointed to the linguistic convolutions of some psychological fiction (James Joyce), the mystical revelations found in some of Yeats' poetry, and a concern for the supernatural. Those interested in a superbly written essay on this subject should refer to his piece on Edgar Allen Poe.[28] There is no obscurity in *Atlas Shrugged,* no concern with spiritual revelation or the supernatural. On the contrary, the style and dramatization are explicit. It deals with human experience, and profoundly so. There is no philosophical provenance of madness; the philosophical antecedents are Aristotelian. As Yvor Winters would have put it, where is the *objective* evidence of madness? If some reviewers have construed madness in *Atlas Shrugged,* the problem again may be one of cognition, it may be one of intolerance, or both. In any event, no reviewer has legitimately delivered a critically informed judgment. What we have at best is simply impressionism, or worse, malicious gossip.

Perhaps some will say I am beating a dead horse: that criticism is an art and that book-reviewing is artifice. But I have not confused the two. Many of the reviewers of Rand's books have reputations as critics: Diana Trilling, Granville Hicks, Peter Michelson, to name a few. When we consider the progress that has been made in the critical method in the 20th century it is disturbing to note how little of that influence is reflected in the reviews of *Atlas Shrugged.* If I am laboring the point, it is because I expect something better, something more responsible. The *censorial tone* of these reviews is what I find most disturbing. This tone is rooted in a conceit of knowledge, and this conceit states, among other things: "The people's interest cannot be denied. . . . Her book cannot press down the flower of Christian concern for the humble and weak."[29] Those who hold it possible to know ends in advance regard the means as indoctrination, not free inquiry. It is through this peculiar commitment to indoctrination that the reviews of *Atlas Shrugged* derive their censorial tone.

THE ROMANTIC MANIFESTO

In *The Romantic Manifesto* (1969), Rand has discussed the esthetics of literature, with special emphasis upon Romanticism and the novel. The book was largely ignored by the literary press. Of three published reviews of which I am aware, two reviews will provide sufficient material for our discussion here.

The reviewer in *The Christian Science Monitor*[30] objected to Rand's comparison of Mickey Spillane with Thomas Wolfe; that is, the "objective" style of Spillane compared to the "subjective" style of Wolfe. This reviewer apparently failed to understand that Rand is discussing *style,* or more precisely, the stylistic perception of reality in terms of the novel. As Rand explains, this involves matters of literary technique: point-of-view, dramatization, characterization, and dialogue. The so-called "hard-boiled" novelists of the 1930's and 1940's (James M. Cain, Raymond Chandler, Horace McCoy, etc.) were, in a sense, trying to achieve the "objective" style. That school of writers sought to write the "objective novel" by employing certain techniques in a very specific way. They believed a close identification between hero (often anti-hero) and reader could be realized by having the hero act out, or dramatize, his role. That is, the author would not simply tell the story to the reader in the conventional way, in the sense of telling *about* a character; rather the character would tell the story to the reader by *acting it out.* The reader could expect comment and observation from the characters, but never from the author; the author would never intrude himself into the story.

I think this is close to Rand's position, as I understand it. I have referred to the "objective novel" of the hard-boiled school by way of illustration; the similarities are clearly there. The "objective novel," as its name implies, is oriented toward the objective world, not the subjective, and attempts to place characters and events within the flux of reality. But obviously such a method cannot remain independent of its author; in the final analysis it must remain as method. A novelist with an Existentialist view of the world can use the method to make value judgments consistent with Existentialism, much as Horace McCoy does in his novel *They Shoot Horses, Don't They?* McCoy abused the method, it might be said, because he did not allow his characters freedom to act. They are doomed the moment the marathon dance begins, the dance itself seen as a moving symbol and microcosm of a mechanistic universe. On the other hand, where an author allows his characters freedom to act, and where they are permitted some degree of integrity and intelligence, the method can yield happier results.

As Rand has commented, Spillane's style is oriented toward reality, the objective world, and Wolfe's is toward the subjective world. The style of Spillane is factual or evidential; the style of Wolfe is declaratory or impressionistic. (I refer here to the early novels of Spillane; his recent work is of little merit.) Through his use of style a writer will reveal his personal evaluation of reality: it can be objective or factual, or it can be subjective and assertive. To put it another way: it can be either demonstrative (Aristotelian) or it can be declaratory (Platonic).

DELIBERATE MISREADING

The tone of Peter Michelson's review in *The New Republic* is clearly abusive: "Not to put too fine a point upon it, this is a crummy book. . . . What it comes to, in short, is that there is no intrinsic reason why this book should have been published."[31] Mr. Michelson cannot be accused of verbal paucity, for he attacks on all fronts, banners flying. The poverty of his criticism is revealed when we subject his arguments to analysis.

In her Introduction to *The Romantic Manifesto,* Rand refers to the cultural atmosphere of Romanticism and that period's "sense of life." It appears quite clear that Rand is speaking of esthetic matters, not political matters; she mentions Victor Hugo and Friedrich Schiller. Moreover, she says the cultural achievement of Romanticism was distinctly European, or of Western culture, *not* Russian. But Mr. Michelson has completely misunderstood:

> 'That period' refers to what Miss Rand recalls of her youth in Czarist Russia and its cultural shadow. 'As a child, I saw a glimpse of the pre-world War I world, the last afterglow of the most radiant cultural atmos-

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> phere in human history . . .' The original bright lights of that afterglow, of course, were Peter and Catherine, whose cultural union produced the operatic grandeur of mad Nicholas and his teddy bear Rasputin, and it surely was a shame that it all had to go just to lay some bread on a few peasants . . .[32]

One wonders at so deliberate a misreading. But there is more. Mr. Michelson tells us: "That someone of Ayn Rand's generation is running scared isn't surprising. They are, after all, being extinguished by the rhythms of life." Earlier, Mr. Michelson had compared Rand's "desperate posturing" to Spiro Agnew, "only on a vaguely more literate plane." That comparison, of course, deserves no comment. It is a whimsical association reflecting Mr. Michelson's view that presumably everything in life, even esthetics, should be seen through a political lens. And precisely what, we may ask, are the "rhythms of life"? Are they "vibrations" of some kind? Are they a manifestation of some esoteric knowledge, such as Yeats' cyclical theory of history? And just how can these "rhythms of life" extinguish anyone or anything?

Elsewhere Mr. Michelson argues against Rand's "bourgeois Myth of Happiness by the expedients of worshipping materialistic success." And he complains of her philosophic materialism. Mr. Michelson should realize that the foundation of existence, its basis in reality, is the material or the physical. All definitions and identities must proceed from a specificness. In the Randian value system, Man is first cause and prime mover, an end in himself. As human beings we cannot live in a disembodied state, or as abstraction, or to push it further still, as fantasy.

Mr. Michelson accuses Rand of a "monumental ignorance" of Naturalism, "especially her ignorance of its moral and ethical meaning." He then proceeds to tell us that Naturalism affirms human values, and that human values have been betrayed by "such 'noble' social instirutions as war and capital, institutions designed for antihuman ends." Apparently Mr. Michelson has forgotten his textbook definitions of Naturalism or has conveniently chosen to ignore them. Parrington and others have defined Naturalism, and their definitions are not inconsistent with Rand's: (1) Man is fated by a deterministic universe and possesses little or no free will; (2) Man is a victim of his environment; (3) Man is a victim of his biological inheritance, etc. Mr. Michelson has accomplished little by changing the definitions of Naturalism. Even if we accept his arbitrary definition we will discover that those Naturalists who seek to moderate the harshness of Naturalism with Humanism arrive essentially at the same end. They may evoke a greater sense of tragedy perhaps, but the best response that can be expected of us as readers and critics is one of pity: Man as an object of pity. Graham Greene has shown us that men, even gentle men, men peaceful by nature, are corrupted by pity. Pity, in Greene's terms, is a dangerous human weakness and a disguised form of contempt for others, a way of regarding oneself as superior to others.

Mr. Michelson proposes alternatives to the "solipsism" he finds in *The Romantic Manifesto:* "Humanistically, we're in a primitive state. To see us through what must be seen through we shall need generosity and humility of spirit. We shall need knowledge and responsible intelligence. We shall, above all, need good will . . ." This from a writer whose language is abusive, who uses a galaxy of pejorative words and phrases to depreciate Ms. Rand: "neurotic," "babble," "incoherence," "men in white coats," "paranoia," "egomania," "This is a crummy book," etc. What are we to think of a writer who proposes good will and then displays none? What are we to think of a writer who speaks of responsibility and then uses language so recklessly?

MODERN MEDIOCRITIES

The critic Yvor Winters has described Professor X (a purely fictional representation of the mediocre academic mind) as a person lacking in critical intelligence. Winters says:

> Professor X, insofar as he may be said to have moral motion, moves in the direction indicated by Emerson, but only to the extent of indulging in a kind of genteel sentimentality. . . . His position is that of the dilettante: the nearest thing he has to a positive philosophy is something to which he would never dare commit himself; that which keeps him in order is a set of social proprieties which he neither understands nor approves. In a world of atomic bombs, power politics, and experts in international knavery, he has little to guide him and he offers extremely precarious guidance to others; yet by profession he is a searcher for truth and guide to the young.[33]

It might be added that those critics, like Professor X, who live in perpetual compromise with endowed superstition will find it difficult, if not impossible, to appraise the original performance of a great innovator, whose creative work begins where their capacity for appreciation ends. There is a story of what Dante said at the Court of Signor della Scalla, sovereign of Verona. "I wonder," the sovereign said to Dante, "that a man as learned as you should be hated by all my Court, and that this fool should be so loved." To which Dante replied, "Your Excellency would not wonder at all if you were to understand that we like best those who most resemble us."

Yet there is another aspect to the problem, one not so easily answered. What motivates a critic or reviewer to commit such distortions, and to such excess, even to the point of maligning the character of another person? Perhaps the answer to that question can best be understood by answering it with another question, turning again to *The Fountainhead* for our example.

The question and the answer, put simply, is this: Why did Ellsworth Toohey seek to suppress the genius of Howard Roark? ◻

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editorial

ON SAVING DINOSAURS

The recent request of Pan American World Airways for a massive government subsidy serves to illustrate much about the role of government in today's economy.

To fully appreciate the situation, consider first the magnitude of the subsidy Pan Am has requested from the CAB. As bureaucracies go, the CAB is a relative piker. Its annual operating budget is $17 million and it dispenses, in addition, some $63 million in subsidies to local service carriers (Frontier, Piedmont, etc.). What Pan Am wants is a lump sum payment of $194 million and an indefinite subsidy of $10.2 million per month, retroactive to last April. In other words, if the subsidy were to begin this November, Pan Am would get an initial payment of $265.4 million (over four times the CAB's current subsidy budget), plus $122.4 million per year!

Depending on the government is nothing new for Pan Am, though. From its inception, founder Juan Terry Trippe saw Pan Am as a government-protected monopoly and lobbied successfully in the 1930's and 1940's to maintain that status. Pan Am, modeled after Europe's State-owned airlines, was to be the U.S. "flag carrier," the "chosen instrument" of U.S. overseas aviation policy. In exchange for protected monopoly status, Pan Am would show the U.S. flag in Asian and African backwaters where frequent air service was uneconomical, making up losses from its profits on lucrative routes like the North Atlantic, and would also forego competing with other U.S. airlines for domestic routes.

This policy worked fine for Pan Am until the explosive growth of air travel in the 1950's. Then TWA managed to breach the "chosen instrument" policy to become the second U.S. flag carrier and Pan Am's principal overseas competitor. Service in the prime North Atlantic market multiplied to include 45 other airlines, 21 of which (like Pan Am and TWA) joined the government-endorsed price-fixing cartel, the International Air Transport Association (IATA). The IATA members are nearly all government-owned flag carriers, many of them subsidized as a matter of national prestige. The non-IATA carriers are mostly nonscheduled charter airlines, which fly only when they book a full load, and at fares 30 to 50 percent less than IATA coach fares.

Pan Am (and to a lesser extent TWA) claims it needs subsidy because (1) there is "overcapacity" in the North Atlantic market, (2) fuel prices have nearly doubled, and (3) its chief competitors (except TWA) are subsidized by their governments. Thus, claims Pan Am, it is impossible for it to continue to operate profitably and must be subsidized to remain in existence. Pan Am's argument raises two basic questions: *could* Pan Am conceivably be a profitable operation without subsidy, and *should* U.S. taxpayers be forced to keep it in business at a loss?

In fact, it is quite possible for a private, nonsubsidized airline business to make money in the "overcrowded" North Atlantic market. The nonscheduled charter operators are making money, by offering a type of service that allows them to fill their planes, rather than flying them half empty. And two non-IATA airlines offer frequent, *scheduled* service with modern equipment: Icelandic which has been flying from New York and Chicago to Luxembourg since 1958, and International Air Bahama which flies from Nassau to Luxembourg. As non-IATA airlines, both compete on price and service, and generate as much business as they can handle.

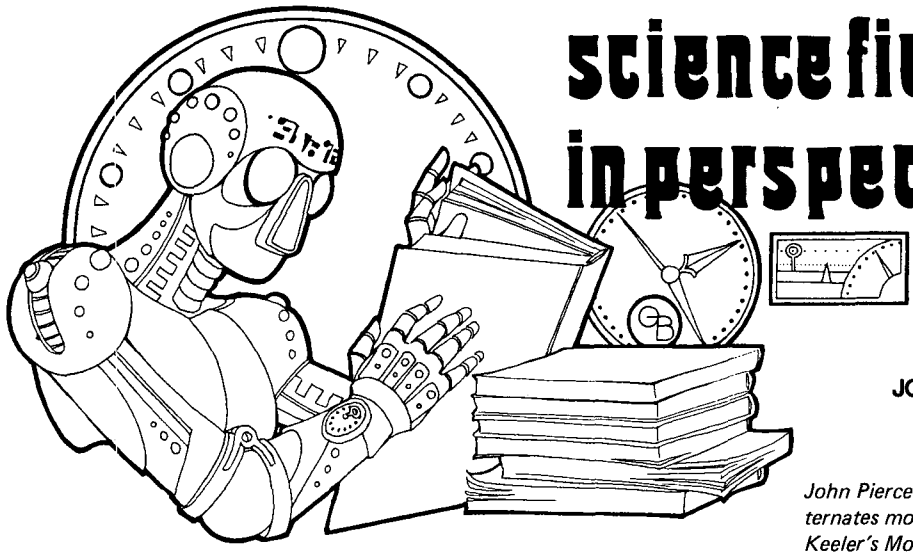
Two other companies have been systematically thwarted by the U.S. government in their attempts to provide low-cost, scheduled trans-atlantic service. Since 1971 Laker Airways, Ltd. has been seeking CAB approval to inaugurate its DC-10 Skytrain service between New York and London. As originally proposed, Skytrain would be similar to Eastern's Air Shuttle: no reservations, tickets sold only at the airport within six hours of departure time, all coach seating, no free meals, and cash only. The price? About $80 one-way compared with the $290 IATA fare! Skytrain was approved by the British government in 1972, but to begin service, Laker must obtain approval of the CAB and the U.S. President. Although the 1946 Bermuda Agreement *requires* U.S. approval, neither the CAB nor the President has acted, for two full years.

A similar fate befell Air Europe International, a company which planned to provide scheduled DC-10 service between Tijuana and Luxembourg (safely outside CAB jurisdiction), thereby providing West Coast residents with the same type of low-cost service easterners have enjoyed for years on International Air Bahama. Air Europe planned a $419 one-way fare, compared with the $1042 IATA fare. Permission of both Luxembourg and Mexico was obtained last May, but despite the fact that those countries and the U.S. are all signatories of the 1944 International Air Services Transit Agreement which provides for automatic overflight and fuel stop rights (which Air Europe's service required), the CAB has managed to quash the planned September 2 start of service. How? By means of a campaign of news leaks, public disparagement of Air Europe as a "pirate" operation, pressure on the British Embassy (the planes and crews were to be obtained from British Laker Airways), and unattributed threats (including talk about boarding the inaugural flight with U.S. marshals).

The point, simply, is this. It is possible to make money in the international airline business, by doing innovative thinking to provide the types of services people want, at prices they can afford. The creaky old IATA cartel, however, is totally unresponsive to the marketplace, having raised fares 24 percent since last December, with another 10 percent increase going into effect November 1. The naked political power of the State, even to the extent of defying the law, is being used to prop up the cartel and forcibly prevent new competition. Pan Am's management, unused to the perils of the free market, has thrown its lot with the cartel, and therefore with the State.

Thus we come to the question: should the taxpayers be forced to subsidize Pan Am? Or, restated, should airline customers (and noncustomers) be forced to preserve a dinosaur that has outlived its usefulness, and thereby help maintain a system that forces them to pay twice what they need to for air service? The question is ludicrous. Those—like Pan Am—that choose to live by the State, should be allowed to die by the Market.

ROBERT POOLE, JR.



science fiction in perspective

JOHN J PIERCE

John Pierce's Science Fiction column alternates monthly in REASON *with Davis Keeler's Money column.*

JOURNEY TO UTOPIA

Utopian science fiction has rarely had much success in this or any other country. And the reasons aren't hard to find if one reads a few such attempts at utopian visions. Novels about "perfect" societies just don't seem to make for good literature. Not only is there no room for moral conflict, but the visions of "perfection" tend to be painfully naive. So ingrained is the tradition that a utopia can be nothing but a travelogue wherein a tourist-hero is inexplicably inspired to rapture by boring descriptions of vacuous "happiness," that many have concluded true utopian literature is an impossibility.

A lot of minds may be changed, however, by a single novel published a few months ago. That novel is *The Dispossessed,* and its author is Ursula K. LeGuin. LeGuin was perhaps the most brilliant new science fiction writer to emerge during the 1960's. She has already won two Hugo awards, for *The Left Hand of Darkness* (1969) and "The Word for World is Forest" (1972).

The daughter of world-famous anthropologist Alfred L. Kroeber *(An Anthropologist Looks at History)* and Theodora Kroeber *(Ishi, Last of His Tribe),* LeGuin has a grounding in the social sciences that is comparatively rare in the genre. She also has distinguished literary credentials, having studied literature at both Radcliffe College and the University of California, Berkeley. Only last year, she won the National Book Award for her fantasy novel, *The Farthest Shore.* Her science fiction career began in 1962, with a short story called "April in Paris." But she soon began concentrating on longer works, which gradually revealed themselves to be parts of a consistent future history in the tradition of those of Robert A. Heinlein, Poul Anderson and others.

In LeGuin's imagined universe, not only Earth but other Earthlike planets within a few hundred light years were colonized millenia ago from a single mother world called Hain. Their inhabitants therefore derive from a common human stock—but environmental differences have caused wide divergences. In *The Left Hand of Darkness,* for example, the natives of Gethen (Winter) derive from an ancient Hainish experiment in androgyny. The Athsheans of "The Word for World is Forest" live in a mystical as well as biological symbiosis with their global forest. Eltanin's natives have adapted to a seasonal cycle that lasts 60 of our years, while those on Rokanan have split into several independent species.

Historical events tend to be part of the background of human drama. Through hints we learn that in our near future of interstellar communication, there is founded a League of All Worlds ("The Word for World is Forest")—an attempt at strong central government made possible by the instantaneous message transmitter, or *ansible.* The League collapses within a few centuries—both from discontent with its authoritarian tendencies and an invasion by a mysterious alien race, the Shing *(Rocannon's World,* 1966). League planets, whether Eltanin *(Planet of Exile,* 1966) or Earth itself *(City of Illusions,* 1967) are left in isolation during a new Dark Age. Finally, the rediscovery of the ansible and the resumption of interstellar travel leads to creation of the Ekumen, an experiment in voluntary association among worlds that seeks to promote unity while preserving diversity *(The Left Hand of Darkness).*

The Dispossessed is set in a period earlier than those of any of LeGuin's other novels—before the League of All Worlds, before the ansible. But like the others, it contributes to our understanding of the whole.

Urras and Anarres are twin planets circling Tau Ceti. Urras is a world much like our own—one of the original Hainish colonies. Anarres is not. A bleak, largely desert world, it apparently wasn't considered fit for settlement by Hain. But for the past 200 years, as *The Dispossessed* opens, Anarres has been the home of more than a million communal anarchists who chose exile from the home planet rather than continue to live under what they considered corrupt and oppressive governments.

Inspired by the Urrasti revolutionary thinker Odo—a sort of Cetian counterpart to Kropotkin—the Anarresti have created a society built around their own invented language, ethics and philosophy. All contact with the mother planet, save the most essential trade, has been barred. Among the Anarresti, voluntary syndicates take the place of both government and private industry. "Initiative" substitutes for the profit motive, and the "mutual aid" principle—carefully distinguished from both egoism and altruism—substitutes for commerce.

Such a capsule description implies a sentimentalized utopia—especially to capitalistic libertarians who don't share LeGuin's communalist bias. But this is not the case: Anarres is a realistic world, as realistic as any created by Anderson, or Hal Clement or (in her previous novels) LeGuin herself. LeGuin's Anarresti are a hard-working, surprisingly individualistic lot. Diversity is tolerated, and even encouraged—homosexuality and heterosexuality, "free love" and permanent partnership exist side by side—and each man or woman is free to choose his or her life's path while also taking part in the common labor. The planetary struggle against the harsh environment of Anarres makes life itself a drama, full of both triumph and tragedy. And Anarres is no static society—the spirit of freedom and adventure is in constant confrontation with that of conservatism and conformity.

Shevek, the protagonist of the novel, is a

brilliant physicist who fears conservatism and complacency are growing too strong on his world. Author of a unified theory of time that tries to reconcile sequency and simultaneity, he has no peers on Anarres—his work is ignored and he is isolated. Determined to end both his own isolation and that of his world, Shevek opens communications with physicists on mother planet Urras—and even founds his own syndicate to promote initiative and communication. Conservative Anarresti are outraged—but when he decides to actually *visit* the mother planet, he is considered a virtual traitor.

Alternate chapters tell of Shevek's life on Anarres—his struggle with conservative syndicates to assert his ideas, his love for the biologist Takhver and their long separation (and later joyful reunion) when a world-wide drought forces them to take separate postings in the life-or-death battle for their world—and of what befalls him on his mission to Urras. Leguin's Anarres chapters are totally convincing—both her world and her characters, in their common humanity and individual eccentricities, compel belief.

Urras—which one might think a more "realistic" world—is in fact less so. LeGuin appears to be too self-conscious in making it a dramatic contrast to her utopian world, and in making too-obviously "relevant" parallels to our own. Although the Urrasti have long-since solved their population and environmental problems—perhaps LeGuin feels she has played those themes too strongly in other recent works that refer to the environmental collapse of Earth in the near future—their culture otherwise seems to rest too much on arbitrary, yet predictable surface virtues and hidden vices.

A-Io, the nation that has invited Shevek, is a state-capitalist society obviously intended to parallel the United States. Thul is the stronghold of State Communism, and the two major powers still fight proxy wars in backward countries like Benbili—although they have been partners in a Council of World Governments for a century. Urrasti live a life of seeming grace and luxury that impresses Shevek at first—but he learns that even the most enlightened physicists are patriotic militarists and share the mid-Victorian class and sex prejudices common to Urras (or at least A-Io). For some reason, neither an Oppenheimer nor a Sakharov is to be found.

LeGuin forces Shevek into a rather mechanical climax in which he becomes caught up in an abortive revolution and must seek refuge in the Hainish embassy. Meanwhile, he has completed his theoretical work, which will make the ansible possible—and the Hainish agree to broadcast the knowledge to all worlds. Shevek returns to Anarres "with empty hands," his mission seemingly a failure. But perhaps not: for both the ansible and the philosophy of the Anarresti, it seems, will one day create the foundations for the Ekumen.

The Dispossessed isn't a perfect novel—the cliche evils of Urras tend to weaken its overall impact compared with that of *The Left Hand of Darkness.* But it is still a fascinating work—fascinating because its convincing utopian vision is almost unprecedented in science fiction or anywhere else. ◻

foreign correspondent

SOCIALISM AT THE CROSSROADS

Tjøme, Norway. Restlessness has invaded the tranquil welfare states of Scandinavia, even Norway, which is in the curious position of being a poor little rich country. On the one hand there is a growing awareness among Norwegians that government may be the disease for which it pretends to be the cure; on the other there is a pervasive frustration with respect to what can be done about it. Gone are the days when the Norwegian people felt an almost naive trust in their politicians' integrity and paternalistic good will; the Storting (Parliament) is being described as having walls soundproofed from public opinion, and the gap between the electorate and the elected is denied by no one. And all this without Watergate, mind you.

Yet the reasons are clear, if complex. The average Norwegian is the most heavily taxed citizen of any country; the pious patience of the taxpayers has for years been a source of marvel even to socialist politicians. But now a psychological barrier has not only been reached, it has been surpassed. Inflation *cum* progressive taxation has done the trick.

Actually the rate of inflation in Norway is not too bad, relatively speaking; it is on a level with the U.S. inflation—about nine percent a year. But taxation is egalitarian in the extreme and brutally progressive. Apart from a steep progression in income tax rates, starting from a very low level of income, there is also a progressive wealth tax and a progressive social security tax (which encompasses health, old age, unemployment, etc.). Add to this the other taxes—on real estate, capital gains and a 20 percent value-added tax—and you already have a normal situation where above-average income families live on budgets that are stretched to the breaking point. Then along comes accelerating inflation and you know what happens.

A kind of "indexation" of taxes was expressly promised three years ago by Parliament when the value-added tax was introduced. But there has been no adjustment of the income tax rates until quite recently, despite inflation. The result is that higher incomes are being murdered; until last year no one had to pay taxes on capital *and* income totalling more than 80 percent of taxable income, but a year ago this escape valve was removed by the Storting and it is no longer unusual for higher incomes to be taxed at a rate far exceeding 100 percent. Of course the present political trouble in Norway does not originate from this soaking of the rich, since the rich always are a minority. But it does have the consequence that tax evasion and flight of capital abroad are becoming widely recognized as perfectly legitimate means of economic self-defense, which in fact they are, morally if not legally.

GETTING POORER

The trouble stems from the average wage earner's being pushed up into higher income tax brackets, which steadily leaves him less disposable income in real money. He gets poorer the harder he works and the more he earns—and most important, *he knows it.* Suddenly it has become clear to wage-earning, actively working people that not only is it impossible for them to improve their economic condition; they are realizing that this is the way the welfare state system works, and in essence, that's the purpose of it.

Since the ruling Labour Party draws its main political strength from the trade unions (which are made up of industrial workers, i.e. wage-earners) the Party is in worse trouble than it has ever been. A recent Gallup poll gave it only a voting strength of 32.1 percent—still a lot, but the lowest percentage Labour has received since opinion polling started in this country. And the percentage has been steadily decreasing since last fall, when the Labour Party gathered slightly below 40 percent of the votes and formed a minority government.

The government was formed with parliamentary support from the left-wing social-

ists, a mixed bag of a party consisting of Labour dissidents, populists, Marxist socialists, and communists. (Since the fifties the communists in Norway have been out in the cold, but at the last election they were included in the alliance of the far left.)

This need for parliamentary support from the left puts Labour on the spot. In order to obtain power they have to court the left-wing socialists, who confront them with the socialist slogans of the Labour Party program. But the Labour party and trade union stalwarts are well aware that they risk alienating even hard-core voters by going leftwards. Among the slogans is one which proclaims "the establishment of socialism" as the Labour Party's goal; it has been on the program for years and in practice only meant a steady increase in state power, usually in the name of "democratic control." Now Labour is being forced to put legislative teeth into their ideological linguistics.

KLEPPTOMANIA

And so they try, perhaps harder than they actually need to. They have appointed as Minister of Finance one of the Party's ideologists, Mr. Per Kleppe. With all the enthusiasm of a bureaucrat in power and all the thoroughness of a statistician he is now introducing legislation with the alledged purpose of "furthering democracy," but every bit of it merely serves to increase government authority. (One of them is nationalization of the financial institutions—banks and insurance.) Mr. Kleppe's policies have been nicknamed *Kleptomania,* and they worry even high ranking Labour officials; they feel that Kleptomania spells political suicide.

The opinion polls confirm this. Why then does the Labor Party cling to power? Why doesn't it relinquish government by simply provoking a vote of no confidence from the combined opposition in the Storting? The answer is in part the easy one. People in power *always* cling to it But there is another reason as well: *oil*—the oil from the North Sea, plus the promise of oil along the Atlantic shelf of Norway's long coast and all the way up to Spitzbergen (where Norway holds suzerainty).

The North Sea oil is a bonanza which rarely if ever happens in a nation's history. Nevertheless the improbable has happened; Norway is becoming an oil-producing country. And it has happened so suddenly that Norwegians at large have not really understood the implications of it, although they are already being called the blue-eyed Arabs of the North. The revenue from royalties and taxes will start flowing into the government next year, in 1975, and will add an estimated $3 billion annually by 1980. That's a lot for a nation of scarcely 4 million souls. If the estimates are correct, Norway will in 1977 overtake Sweden in per capita GNP—and the Swedes are about the richest you've got, even richer on the average than the Americans.

Now, this wholly new national resource (everybody gets pompous and calls the oil "national resource" now) ought to result in benefits for the whole nation. All Norwegians agree on that, but that's as far as the agreement goes. Beyond this point the North Sea oil is producing a fascinating, fantastically messy debate raging mostly way above the head of the ordinary citizen because of its technical and many-sided nature. The sad thing is that hardly anybody conceives of the "national resource" being disposed by Norwegians as individuals. Most people think it self-evident that the oil be handled by the nation as a collective manifestation, that is, by the government, by the State. Thus hardly anyone disagrees with the government's establishment of the State Oil Corporation—*Statoil*—with the purpose of taking over the whole oil business, leaving only the crumbs needed to secure the necessary technical and financial participation to private sources domestic and international.

OIL GAMBLE

The socialists see the oil as their big chance, good not only for the nation but a Godsend to the Labour Party. This unexpected flow of billions of kroner will provide them with the means of decisively extending the public sector of the economy, without having to suffer the dismal consequences that ordinarily follow from socialization. And the instrument of this extension of government authority is the State-owned corporation, Statoil.

That is the strategy. The tactical gamble, which explains why the Labour government clings to power, is this: they can bear the political burden (they think) of pacifying the left-wing socialists in order to retain their parliamentary support, because as long as Labour stays in power, they will be able to use the oil billions to regain popularity before the next parliamentary election in 1977.
It's a good gamble, but I doubt that it will come off. Lest I be accused of wishful thinking, let me state my reasons. Inflation *cum* aggressive taxation has not only put a squeeze on the ordinary person's economy; it has also produced a deeper reaction and a very healthy one, I think. It is a kind of revulsion against politics as such, and an allergy against public interference in the individual's private affairs. I believe that Norwegians psychologically have reached the end of the welfare road, even though I admit that the welfare system is so extensive as to produce a feeling of helplessness in the ordinary person, which makes it unthinkable that he ever would seriously revolt against it.

I even must admit that the nonsocialist politicians have been extremely muddled, unprincipled and demagogic in their thinking about the whole relationship between the State and the individual. For that reason they have lost the confidence of the voters and consequently the opportunity to take full advantage of the quandry into which the socialists have gotten themselves. The nonsocialist parties comprise so broad a spectrum of interests as to be paralyzed on all questions of principle. They did form a coalition government between 1965 and 1972; it broke up on the question of Norway's membership in the European Economic Community. Before the Cabinet gave up, however, it had levied taxes and proposed inflationary policies which made them lose every claim in the individual voter's mind to being an alternative to the oppressive policies of the socialists.

A NEW PARTY

And that accounts for a curious phenomenon which occurred in the parliamentary elections last fall. Almost overnight a new party sprang up, with no program other than "Sharp Reduction 1) of Taxes, 2) of State Interference and 3) of Public Meddling in Private Affairs." It was formed by—and around—Mr. Anders Lange, an original (some would say eccentric) personality, amateur politician and a very colourful and popular public speaker. He professes open admiration for Barry Goldwater, Milton Friedman and Ayn Rand. The professional politicians right and left laughed at him, but he did capture five percent of the voters, receiving 4 mandates (seats) in the Storting. (The phenomenon is a parallel to the "Progress Party" of Mr. Mogens Glistrip in Denmark.)

The trouble with Mr. Lange is not that he may strike many people as being rather eccentric; it is that although he is intelligent enough, he is no systematic thinker. His mind is uncluttered by the sophisticated concepts that govern public administration and economic policies. That is his strength as a public speaker, but it is his weakness in Parliament. Thus a whopping 30 percent or more of the voters regard him with sympathy and consider him most useful, according to the opinion polls—but only four percent now declare that they would go as far as to actually vote for him.

And that's the problem. Mr. Lange is a true libertarian in his own, highly personal way, and he has the biggest potential following of any political personality in Norway. But it is proving difficult to translate this potential into actual political clout. Perhaps it's a dilemma central to libertarians—always and everywhere?

OLE-JACOB HOFF

viewpoint

DAVID BRUDNOY

ARE THE CAMPUSES STILL CHURNING?

The subject of education concerns us now, as summer draws to a close and, God help us all, school begins again—with busing woes for Boston and other towns, and colleges reopening everywhere.

We are told much about the quiescence on campus; we are to believe that the chaos of that 1968-1972 horror period is now ended, and to some it seems as such; to me too, on occasion during the last two years of college teaching. But like so much of what the media tell us, the picture of the-campus-back-to-normal is oversimplified. My own experience has been enough to convince me that we are seeing a softening of the rhetoric, but a digging in of the "change-oriented" groups; a lessening of the vulgarity and violence, but an intensification of the obduracy among the truest of the True believers.

I leap to new books about the campus woes of recent years as politicians reach for new power. One comes my way the other day, the appearance of which might interest you too. It is called *Campustown in the Throes of the Counterculture: 1968-1972* (whew), by Prof. Mark Graubard of the University of Minnesota, for all intents and purposes my family university, since all but a few of us (like yours truly) have gone there for three generations.

Dr. Graubard sets his novel-cum-polemic-cum analysis at the U. of M., which he calls the State University at Watertown. He peoples his 400-page book with recognizable caricatures of former U of M president Malcolm Moos, former Minneapolis hot-shot liberal mayor Naftalin, and others familiar to an ole Minnesota boy like me, if not to you. But the local angle is not important to the general reader, even if the accurate recreation of what happened at the U of M makes the book more reliable to one who is acquainted with the situation there.

Professor Graubard stars himself in the book, as Mike—Mark into Mike, see?—and weaves around Mike's life on campus a fascinating assortment of students, outside agitators (let's be blunt; the spirit of Spiro ain't dead yet), and, especially, faculty duds of the worst sort, particularly the escapees from Nazi and Communist tyranny who, some poisonous gas having hit them at breakfast one morning, suddenly find themselves forgetting everything they knew about oppression and embracing it in the form of leftist student "idealist" bosh.

He's got them to a T—and he spreads out from the University of Minnesota to more elevated regions, mocking such as Harvard's George Wald and others of that stripe. He is less successful with the students, perhaps because he is an older professor, though I suppose that's "age-ist" and I'd best recant. He has no ear at all for dialogue: everyone speaks as Graubard writes; no one contracts (not one single "don't," "can't," "won't," "isn't" and so on); no, everyone talks as if he were a distinguished professor, like the author, and it is sometimes embarrassing to read the declamations which pass as dialogue.

Moreover, Mr. Graubard is almost without an iota of sympathy for some of the "liberation" groups to whose aid I periodically come, and of whose woes I'll spare you another recitation here. Would that Graubard could pick his way a bit more carefully through the deviations from what he considers normal human behavior and not be quite so quick to ridicule them all. But such is the stuff of polemics.

Be that as it may, there is much value in Mark Graubard's book, much that rings true. Of one faculty wife: "Cornelia went canvassing evenings when necessary, sat patiently through meetings of the State Legislature or its committees when some important law was up for debate, spent two evenings a week at a neighborhood center for Negro youths, and served on many committees, as good people should who feel they can and must help the presumably helpless, think for the presumably thoughtless, improve the presumably faulty, render rational the presumably irrational, and above all, fight the selfish and wicked rich and racist. And Winton [her hubby] went along in all her good works, as a good companion and fellow believer should."

Boy does that conjure up visions!

Campustown in the Throes of the Counterculture 1968-1972 (and couldn't some kindly editor have suggested a less awful title?) is full of superb vignettes, interesting pictures of how things go wrong in Academe, and deliciously reactionary slaps at the contemporary Wisdoms for all time. If only he could write a passable

sentence of student dialogue. Alas.

The book is available from Campus Scope Press, P.O. Box 8594, Minneapolis, Minnesota 55408, and worth its $4.95 asking price. Care to usher in the new school year with some nay-saying from a gifted, unconned observer? Send away for it, get out your old Cal Coolidge buttons, and read on into the night; try it, you'll like it. ◻

David Brudnoy teaches history at the University of Rhode Island and is a CBS "Spectrum" commentator. Dr. Brudnoy's viewpoint appears in this column every third month, alternating with the viewpoints of Murray Rothbard and Tibor Machan.

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trends

UNSTICKING THE GEARS

Spurred on by the intractability of inflation, there is growing discussion among economists and government policymakers regarding the many government-induced rigidities in the U.S. economy. These rigidities are various types of coercive interventions that prevent prices from being freely determined by supply and demand, and generally serve both to prevent price reductions and to shield price increases from competition.

A recent front-page article by *Los Angeles Times* financial editor Robert Wood highlighted the following areas that are under active consideration:

- *Regulated industries:* The policies of the CAB and the ICC sanction legal cartels, forbidding the entry of new firms and preventing competitive pricing. The telephone industry is a legally-sanctioned monopoly, which uses the courts to harass would-be competitors in specialized areas. Assistant Attorney General Thomas Kauper plans to conduct an "intensive review" of government policy toward such industries, which account for some 10 percent of the GNP. Also, a Republican task force on antitrust headed by Rep. John Heinz, III is planning to seek substantial changes in the antitrust laws, aimed at subjecting regulated industries to competition.
- *Farm policies:* Former Council of Economic Advisors chairman Otto Eckstein points out that the Agriculture Department's policies on acreage allotments and commodity purchases aim at keeping farm income up, regardless of the effect on food prices consumers must pay. Recent government actions to boost the price of beef are even more blatant.
- *Credit policies:* Former Treasury official Murray Weidenbaum notes that a host of government credit programs subsidize favored groups of borrowers (farmers, home buyers, veterans, etc.), resulting in higher interest rates for everyone else. He estimates that the Federal Government now controls about 33 percent of all savings and investment funds, up from only 10 percent in 1960.
- *Protectionism:* Harvard economist Hendrik Houthakker has called for phasing out the quotas which limit imports of steel, textiles, and other products, thereby keeping domestic prices high.
- *Antitrust:* Rep. Henry Reuss of the House Joint Economic Committee notes the chilling effect of antitrust laws on preventing medium-size firms—of which there are vast numbers—from considering mergers which could promote efficiency and thereby lead to lower prices.
- *Gold standard:* Stanford economist G. L. Bach has pointed out the beneficial effects of the gold standard in imposing fiscal and monetary discipline. In his book *The New Inflation,* Bach laments today's lack of gold's "monetary religion that brought the government and the public up short when they felt the urge to spend more than they were taking in."

It seems clear that today's concern about inflation presents an unprecedented opportunity for rolling back government interventions in the economy. But how can such reforms be implemented in the face of determined and well-financed opposition from the special interests that would lose their subsidies? Charles Schultze of the Brookings Institution suggests that rather than propose the reforms on a piecemeal basis, the best strategy would be a package approach, relying on "widespread public abhorrence of inflation" to muster support. Libertarians would do well to propose such packages at every opportunity.

SOURCES:

- "Competition Held Cure for Inflation," Robert E. Wood, *Los Angeles Times,* Aug. 5, 1974, p. 1.
- "Congress, Justice Dept. Map Antitrust Moves Against Regulated Industries," *Telephony,* Aug. 19, 1974, p. 14.

THE CASE FOR PRIVATE FORESTS

More than 10 years ago Milton Friedman pointed out the serious deficiencies inherent in government ownership and management of those huge tracts of land known as National Forests. Friedman's solution, echoed a decade later by economist Edwin Dolan, was for the government to auction off the National Forests to private owners. After years of being ignored by academicians, this proposal is finally receiving serious consideration. In a recent issue of the *Journal of Law & Economics,* economists Richard Stroup and John Baden examined the current management of the National Forests and projected the likely impact of their return to private ownership.

Stroup and Baden, like Friedman, point out the inherently political nature of current National Forest management, as the Forest Service attempts to balance the conflicting interests of the lumber industry, cattle and sheep grazers, hunters, water recreationists, campers, conservationists, etc. In the absence of market pricing, there is no rational way to make the necessary trade-offs among these competing users; consequently, the decisions are the result of pressure group influence in which minorities with clout (e.g., the Sierra Club, lumber companies, ranchers) often prevail. Further, use of the forests is generally on a no-cost or below-market-cost basis, thereby conferring subsidies on those user groups with the most influence.

After reviewing the defects of current practice, Stroup and Baden catalogue the likely effects of privatization. First, in selling the forests, the government would realize a large "revenue windfall" which could be used (depending on the political climate) either to reduce the national debt, to reduce taxes, or to fund other government programs. Second, with the forests privately owned, there would be shifts in the distribution of uses, as supply and demand came into balance at market-determined prices. Current subsidies to recreational and conservationist users would end, although the authors point out that "it is not clear that the consumers now being subsidized would be made worse off. The new pattern of goods and services provided with forest resources might be worth enough more that even at higher prices, the consumer would be better off. Services or experiences now unavailable might be marketed by imaginative resource owners eager to maximize the value of rents." In particular, some wilderness areas would probably be better protected than at present, as entrepreneurs catered to the desires of upper-middle-class conservationists. Another effect would be the production of valuable *information* as to the true demand for various types of forest uses.

Stroup and Baden also puncture the common myth that private ownership would lead to shortsighted "rape" of the timber, to the detriment of long-term productivity. It is only where the owner of the land cannot capture the long-term economic benefits of rational forest management (as in the case of government ownership) that such short-sightedness takes place. There is every economic reason to believe that private owners would maximize the long-run expected value of their timberland.

SOURCES:

- Milton Friedman, *Capitalism and Freedom* (University of Chicago Press 1962), p. 31 (paperback).
- Edwin G. Dolan, *TANSTAAFL: The Economic Strategy for Environmental Crisis* (Holt, Rinehart & Winston, Inc. 1971), Ch. 7.
- "Externality, Property Rights, and the Management of Our National Forests," Richard Stroup & John Baden, *Journal of Law & Economics,* Vol. 16 (2), Oct. 1973, p. 303. ($9 per year from the University of Chicago Law School, 1111 E. 60th St., Chicago, IL 60637)

SETBACK FOR AIR BAGS

By the time you read this, the government's Big Brother plan to force automakers to install—and consumers to pay for—air bags may have been put to rest by Congress. Under strong pressure from the auto companies, the American Automobile Association, and individual car owners, the House passed by 337 to 49 a bill forbidding the government to require air

bags and/or seat belt interlock/buzzer systems; only a dashboard warning light could be required. In the Senate a similar bill has been introduced by Senators James Buckley and Thomas Eagleton, and is given good odds of passage, considering its bipartisan support (e.g. Nelson, Church, Helms, and Hruska).

The auto industry, meanwhile, has finally closed ranks in opposition to the air bag requirement. Former holdout General Motors, having sold only 5000 of a planned 100,000 cars equipped with optional ($260) air bags, has joined Ford, Chrysler, and American Motors in planning to take the National Highway Traffic Safety Administration to court if it goes through with its plan to force air bags on all 1977 cars. Like most other auto safety experts (see "Trends," Sept. 1974), GM now supports lap-shoulder belts as the most cost-effective passenger restraint system.

The issue of Big Brotherism in this case unites many liberals and conservatives with libertarians. After all, as Sen. Eagleton recently said in support of his bill, "If freedom is to have any meaning in this country, it certainly must encompass the right of an individual to lead his life as he sees fit, so long as it does not interfere directly with the similar pursuit by others."

SOURCES:
- "Air Bags Head for the Courts," *Business Week,* July 6, 1974, p. 50.
- "Unhitching 'Big Brother,'" James Jackson Kilpatrick, syndicated column, Aug. 24, 1974.
- "Auto Devices Seen as Saving 15,000 Lives," UPI (Washington), Aug. 28, 1974.

CURBING EMERGENCY DICTATORS

Current U.S. law allows the President to assume dictatorial powers by simply declaring that a "national emergency" exists. For the past two years Sen. Charles Mathias, Jr. has been investigating and cataloging these powers (see "Trends," Nov. 1972) and in August he and Sen. Frank Church introduced legislation to curb them. Although the bill doesn't go nearly far enough, it's a clear step in the right direction.

At present the U.S. is under *four* states of emergency that have never been rescinded (one each declared by Roosevelt and Truman, and two by Nixon). Some 470 separate statutes and hundreds of executive orders can therefore be invoked, at the President's sole discretion, to call up the military reserves, seize the stock markets, commandeer broadcasting facilities, regulate industrial production, seize private property, close banks, impose censorship, halt traffic on Federal highways and airways, etc. In addition, a number of existing procurement regulations which suspend competitive bidding are in effect only because of the current national emergencies.

The Church-Mathias bill would abolish the four existing national emergencies and set criteria for when a new one could be declared: in the event of invasion of the U.S., internal revolt instigated by a foreign power, catastrophic natural disaster, or "economic disaster." The state of emergency would expire in six months unless extended by Congress, and would also be subject to court challenge. The bill also repeals some of the emergency powers statutes, such as the one empowering the President, the Secretary of Defense, or any general to declare the U.S. or any part of it a military zone.

Among the effects of ending the current national emergencies would be to render powerless the Trading with the Enemy Act of 1917 and the Emergency Banking Act of 1933, both of which take effect only during time of war or national emergency. The former is the basis for the current government intervention to halt trade with North Vietnam, North Korea, and Cuba, while the latter is the basis for most of today's monetary regulation. Another effect would be to make impossible such domestic uses of the military reserves as Nixon's use of troops to carry the mail during the 1970 postal strike. There will be strong pressures on Congress to pass new legislation restoring these powers, even without a national emergency—especially with regard to the Emergency Banking Act. Congress could do the country a real service by resisting these pressures.

SOURCES:
- "A New Definition of National Emergency," *Business Week,* July 20, 1974, p. 26.
- "Presidential Emergency Powers Curbs Proposed," UPI (Washington), Aug. 23, 1974.

MILESTONES

- *Censorship.* Boston city officials are making history by finally giving up their historic battle to wipe out obscenity. Instead, city officials have zoned a downtown district exclusively for porno shops, sex films, stripper bars, etc. The Boston Redevelopment Authority (BRA) hopes thereby to contain "it" to the district, which is known as the "Combat Zone." BRA will build two parks in the Zone, start a shuttle bus service, and help owners fix up their buildings. The Combat Zone developed over the past decade when a massive urban renewal project replaced Scollay Square, the former red-light district, with government buildings. (Source: "Boston Zones 2 Blocks for Porno Shops, Girlie Shows," AP (Boston), June 8, 1974.)
- *Property Rights.* In an important decision, the California Supreme Court has affirmed the property rights of shopping center owners. The Court ruled that the owners of shopping centers have the right to prohibit the gathering of signatures on political petitions, because the centers are private property. The ruling reversed the same court's 1972 stand on the issue, due to a subsequent 1973 ruling by the U.S. Supreme Court that an Oregon shopping center could prohibit political leafletting on its property (see "Trends," Sept. 1972). The left-wing People's Lobby, which brought both the 1972 and 1974 California cases, said it plans to appeal the decision. (Source: "Petition-Gathering Decision to Have Big Effect on Politics," Thomas D. Elias, *Santa Barbara News-Press,* May 13, 1974.)
- *Housing.* Yet another liberal pipedream—the massive urban public housing project—is being consigned to history as a failure. With little fanfare, the Administration this summer announced the end of 40 years of public housing. The new government philosophy still retains heavy Federal involvement, principally in the form of rent subsidies. Operating subsidies for the nation's existing public housing (holding some 2.5 million residents) will continue, to the tune of $280 million per year. (Source: "U.S. to Quit Constructing Public Housing, Will Pay Rent for Poor," Thomas W. Lippman, *Washington Post,* June 27, 1974.)
- *Criminal Justice.* Victims of rape will no longer be subjected to detailed questioning on their prior sexual history, according to a bill signed into law by California Gov. Ronald Reagan. The law substantially limits the instances when such questioning can be used and is aimed at correcting the common situation in which the rape victim is made to feel she is on trial rather than the defendant. Frequently, rapists are acquitted if the defense attorney can demonstrate that the woman was "unchaste." The new law recognizes the fact that women, like men, are entitled to a sex life, and that exercising this right should not make them fair game for rapists. (Source: "Reagan Signs Bill on Rape Victim's Sex Life," *Los Angeles Times,* Aug. 31, 1974.)

- *Broadcasting.* Freedom of the press for broadcasters has been strengthened by a recent FCC decision. The agency has rejected a Federal Trade Commission proposal that broadcasters be forced to provide air time for replies to commercials. The decision represented a refusal on the part of the FCC to expand the scope of the controversial "Fairness Doctrine," but it left intact the doctrine as it currently applies to editorial matters. (Source: "Counter-Ad Proposal Turned Down by FCC," AP (Washington), July 5, 1974.) ◻

This column reports trends in the advancement of individual liberty and the rediscovery of economic freedom. Readers are invited to submit material of potential interest.

• **THE TRIAL OF BILLY JACK** is a dramatized odyssey through the trials and tribulations of the New Left, highlighting the reasons for its emotional appeal while at the same time revealing its structural and philosophical weaknesses. Picking up where the underground hit *Billy Jack* left off, the movie details a struggle to save Freedom School, on an Indian reservation, from being closed down by its hostile, bigoted white neighbors and by government repression. The propaganda is crude but effective; it includes a massacre of Vietnamese women and children by American soldiers (shown in flashback), assorted bullying of Indians and other minorities by members of the White Power Structure, and a climactic battle at the school between well-equipped government troops and helpless, unarmed students. The movie takes on the appearance of a trendy replay of the burning issues of the 1960's, but without any real understanding of the means necessary for their resolution. The film's underlying metaphysics is a brand of Indian mysticism that even its hero, Billy Jack, is unable to practice. Or preach, either: considering that the Freedom School is supposedly teaching a superior life style, it's surprising that the students seem so remarkably eager to fight violence with violence. The movie attacks the tie-ins between government and big business; but the Freedom School cavalierly accepts government grants, thus attacking one rip-off while taking advantage of another. For all its preachments of the right to "do your own thing," *The Trial of Billy Jack* is thoroughly collectivistic at the core. The peace-love-brotherhood tribalism of the school/commune engages in pitched battles against the military-industrial-racist tribalism of the outside world, in terms of oppressive strong majority against oppressed helpless minority. The individual is little more than a cipher in this grand scheme of events and property rights (except for Indian tribal property) aren't even an issue. Tom Laughlin delivers his quota of karate chops to the establishment, while Delores Taylor provides the sainthood and martyrdom. The tragedy of this movie is that it is able to dramatize real issues, with a powerful emotional appeal, but seems unable to come to terms with its own contradictions, or point the way to any meaningful solutions. *The Trial of Billy Jack* has the ability to enrage, but not to enlighten. Rated "PG."—**Charles F. Barr**

• **THE APPRENTICESHIP OF DUDDY KRAVITZ** is alternately appealing and appalling as it traces the dizzy career of a young, brash and amoral character clawing his way out of Montreal's Jewish ghetto during the late 1940's. Richard Dreyfuss, of *American Graffiti* fame, infuses the role of Duddy with a ferocious energy, portraying him as a likeable heel who turns out to be not so likeable at the end. Duddy confounds his friends, relatives and enemies alike with his obsessive wheeling and dealing. Duddy will do almost anything and use almost anyone to get ahead. He has his girl friend, Micheline Lanctot, front for him in a land deal; he cons his relatives into having films made of their sons' bar mitzvahs, directed by a blacklisted Communist; and he hires a simple-minded epileptic (played with surprising dignity by Randy Quaid) to drive a truck for him, with disastrous results. Duddy is far from being a hero, and at times he seems to be a pathological case study; as the movie progresses, he becomes more clever and adept at hustling without achieving any character development whatsoever. Paradoxically, Duddy is the black sheep of his family, while at the same time its strongest member. His father, played by a happy-go-lucky Jack Warden, is a taxi driver with no further ambition; his brother is a "sensitive" weakling; and his rich uncle uses his money to control other members of the family. The downbeat, somewhat cynical tone of the movie clashes with its violent energy and strident pacing. The result is an inconclusive draw. Rated "PG."—**C. F. B.**

• About half-way through **CALIFORNIA SPLIT** George Segal enters a Hollywood massage parlor and is escorted to a back room, past two children watching television, to an illicit poker game. Although the film misses the opportunity to comment philosophically on crimes without victims, it is nevertheless an extraordinarily fine film, possibly Robert Altman's best since *McCabe and Mrs. Miller*. As in the earlier film Altman punctuates his soundtrack with the muttered commentary of his principal actors and the layered conversation of background characters, but this time with greater success, largely because the jumble of noise is both more intelligible and better adopted to the vibrant and slightly dazed world of gamblers and prostitutes who serve Fruit Loops for breakfast. The film has a deceptively casual, off-handed style that is beautifully suited to Elliott Gould's nonchalance. Gould gives his best performance in many films as an impulsive gambler, constantly searching for action, who will bet on anything from a fight between spectators at a boxing match to naming the seven dwarfs. He is always ebullient, even when losing, while George Segal is deliberate, cautious, often peevish and agonized, brightening only in Gould's company. The film is less about gambling than about their curious affinity for each other, a subtle and complex relationship, as they move from poker and the track in California to the big time in Reno, an exhilarating finish at the crap table, disenchantment and separation. It is an exceptional film, funny, fast-paced, tightly constructed, expertly scripted and performed. Rated "R."—**James F. Carey**

Duddy (Richard Dreyfuss) orders a gangster (Henry Ramer) to get off his property in THE APPRENTICESHIP OF DUDDY KRAVITZ.

PEACE AND FREEDOM

There is now a libertarian party on the ballot in California: the **Peace & Freedom Party** (PFP). The PFP, formerly a mixed bag—including socialists, libertarians, and nonsocialist antiestablishment types—now has a consistently libertarian platform. The libertarian platform was voted in at the bi-annual state convention on August 17-18 in Sacramento, when the libertarians won a majority of the legal delegates. "Frontlines" correspondent **Eric Garris** reports:

Larry Samuels—photo

PFP gubernatorial candidate Elizabeth Keathley and her campaign manager Eric Garris

The convention marked a climax in the year-long faction fight among the libertarians, the socialists, and a smaller Unity coalition ("party loyalists"). Each faction fielded a candidate in the PFP primary for Governor (a fourth Independent also ran) last June, with **Elizabeth Keathley,** the libertarian candidate winning. Libertarian **Corey Cassanova** won the PFP nomination for State Controller, and several other libertarians won local PFP nominations. At the state convention, most of the Unity caucus members joined the majority libertarians in defeating the socialists, after a split in the convention. The socialist group attempted to gain recognition as the "true Peace and Freedom Party," but the Secretary of State is now recognizing the libertarian group as the legal PFP body for the State of California.

The new PFP platform includes planks calling for the following: abolition of all taxes, the Federal Reserve System, wage and price controls, and legal tender laws; U.S. withdrawal from the United Nations, NATO, SEATO, and CENTO; repeal of laws regulating and prohibiting ownership of weapons; ending public financed education; withdrawal of all U.S. military forces from around the world; ending all censorship; abolition of the FCC and FTC; repeal of all crimes without victims; ending involuntary hospitalization; ending the Selective Service System; unconditional amnesty for draft resisters and deserters; secession of California from the U.S.; extension of rights to children; abolition of child labor laws; support for persons who engage in tax refusal and organization of massive tax rebellion.

Gubernatorial candidate Keathley is running a full-time libertarian campaign as one of the four candidates on the ballot (the others are Democrat Jerry Brown, Jr., Republican Houston Flournoy, and American Independent Ed Kaiser). She has been getting media coverage almost daily and has a good chance of getting over five percent of the vote.

The Libertarian Party of California, unfortunately, is not on the ballot, due to extremely difficult requirements, and may only run write-in candidates. The PFP is also supporting (not officially in some cases, due to election laws) the following LPC candidates: **William C. White** for U.S. Senate; **William Susel** for Lt. Governor; **Lloyd Taylor** for Treasurer; **David Bergland** for Attorney General; and **Veronica Meidus** for Secretary of State. The PFP plans to place the Libertarian Party candidate for President on the ballot in California in 1976, and to provide a vehicle to run libertarian candidates for other offices. (Note: The PFP is not affiliated with any national party at this time and may affiliate with any it wishes at any time).

The Keathley for Governor Campaign and the new libertarian Peace and Freedom Party need assistance in the form of money, supplies, resources, and volunteers. If you would like to help, join, or receive additional information, write to **California Peace and Freedom Party,** P.O. Box 1202, Free Venice, CA 90291 or call in Southern California (213) 392-5279 or (213) 478-2471; in Northern California (415) 788-1193.

MAKING IT REAL

Campus Studies Institute is a nonprofit, educational foundation promoting the free market via attractive graphics and brochures, sent to nearly 80,000 college students in the U.S. CSI neither claims nor disavows the name "libertarian," but its recent SimPoSoc game simulation seminar did much to spread awareness of libertarianism. Game simulation is an educational vehicle that defines basic ground rules for a group of participants and then leaves them alone to live as they will within the defined limits of the game. SimPoSoc participant **Paul Beaird** reports on his experiences for "Frontlines":

SimPoSoc consisted of three games played for two days each. The rules of each game implemented the definition of three kinds of politico-economic systems: collectivist, free, and mixed. Each "society" had the same 30 students participating, divided into four rooms (designated red, yellow, blue and green). Each person had to buy subsistence with Simbucks in order to survive. He could travel to another room only by buying travel tickets. The society contained several basic industries, and one could also invest in various franchises. No real physical force was permitted in the seminar, but one could buy a Simforce to steal a victim's personal assets in the game.

The *mixed society* game has a session for voting on a minimum wage, at which time it was discovered that the inhabitants of the Red room were totally poor and would "die" in the next session without help. In spite of efforts by the other rooms, the Reds did "die." Then a government-sponsored industry was offered for public bid. Two rooms attempted to collude on a low joint bid, but both betrayed the agreement—and one upset person forgot himself and engaged in a little real physical restraint. (That's only one measure of how personally engrossing the simu-

lations were!) After the Blue room won the new industry--which was favored with government credit—the other rooms were eager to make deals to equalize the benefits, and this was about to make everyone economically dependent upon "Ma Basin," as it was called. Loss of one-quarter of the population, economic conspiracy and betrayal, war, and the evolution of monopolistic dictatorship came out of the voluntary actions of the participants in the mixed economy.

A four-person committee governed the *collectivist economy,* holding all industries, money, and economic decisions in their hands. The government was basically benevolent and was initially supported by the participants, who voted to squelch one member who agitated to foment revolution. But the boredom resulting from the fact that only the government could participate in goal-setting and other decisions caused many members to join the revolution. The government could not provide enough work to keep people busy; and, not seeing the economic return from their work, nor being able to measure the costs of rewards or further investment in production, the people simply demanded more rewards than they were producing. An election was held, and the revolution party campaigned on the slogan, "Subsistence Is Not Enough." But the voting was rigged and the party in power won. One room responded by rioting, kidnapping the collectivist leader, and stealing Simforce forms. Another room got Simforce forms through a black market. As this game came to an end, it was outproducing the mixed economy, but another revolution was forming to oust the persons in power.

In the *free society,* no one started out owning a business—one could be purchased by anyone. A lottery, a protection racket, and a massage team were started by those with fewer initial Simbucks. In addition, this society had an extra obstacle to overcome: it was hit by an earthquake which hindered trade. Plus someone actually used a Simforce arrest against one of the richer members.

In the free society there was a noticeable economic shift from too many people investing in businesses to some of them liquidating their holdings and becoming employees of the more successful businesses. The society overcame the "natural" obstacles and prospered enough for one-third of its members to "drop out" and go on vacation, while the remaining members made its production surpass that of the previous two societies.

The intense personal involvement generated in these games is hard to describe, but it comes from the fact that the simulations have ground-rules, but do not tell one what to do. When a person takes on all the risks of choosing a goal, methods for achieving it, and then acts in the face of the opposing actions of the other participants, he has really put himself on the line. He feels personally motivated, and what he learns, he learns deeply.

The 30 college-student participants included three avowed libertarians, two dedicated socialists, and the rest middle-of-the-road, nonpolitical persons. At the end, the general opinion seemed to be that if you were not a socialist, why, then you were a libertarian. The libertarians shared free market ideas with interested students in the evening and succeeded in making everyone aware of the libertarian philosophy. One socialist decided he was now a libertarian, and nearly all of the others asked for information on the Libertarian Party.

For further information on the SimPoSoc Seminar and Campus Studies Institute please write to CSI, 11722 Sorrento Valley Road, San Diego, CA or phone (714) 755-9761.

NEWS AND NOTES

LP-California gubernatorial candidate **John Hospers** will be the guest of honor at a gala fund-raising party in Santa Barbara, CA on the evening of October 11 at 294 Via El Encantador. Anyone wishing to attend should contact **Ruth Sutton** at (805) 964-4310 . . . The October meeting of the **Libertarian Supper Club** of Los Angeles will be held at the Taix Restaurant on Monday, October 14 and will feature a talk by **Nathaniel Branden, Ph.D.** on "The Biocentric Approach." Reservations will be required for dinner; contact **Lloyd Licher,** 12536 Woodbine Street, Los Angeles, CA 90066, (213) 390-4449. The speaker for the November 5th meeting will be **Hank Hohenstein,** who will speak on the Abaco—New Country Project . . . **Sanford Cohen,** Free Libertarian Party (FLP) candidate for U.S. Congress, 25th District has qualified for a place on the November ballot by submitting several times the required number of petition signatures. On Wednesday, October 30 at 8 P.M. Sandy will debate his opponents, Fish and Angell, in a forum moderated by the League of Women Voters to be held at the Jewish Community Center in Poughkeepsie, NY . . . A **Libertarian Alternative** group is being organized at Oklahoma State University, Stillwater, OK. For more information please contact **Dan Phillips,** (405) 372-0080 . . . A libertarian argument opposing a one-cent sales tax increase in the four-county Southern California Rapid Transit District will appear on approximately 3,500,000 sample ballots being mailed out in advance of the November elections. The tax increase is being proposed for the purpose of building a multi-billion dollar, government-owned rapid transit system in the Los Angeles area. The ballot argument opposing the tax increase was written by **Charles Barr,** for **Libertarian Alternative of Los Angeles** . . . The Bellingham **Libertarian Dialectic** is a text-centered discussion program, with each meeting lasting two to three hours and focused on interpretation and evaluation of the central concepts and arguments of the reading. Coming dates and readings: October 13 (Rand, *Capitalism: The Unknown Ideal*), November 3 (Rothbard, *For A New Liberty*), and November 24 (D. Friedman, *The Machinery of Freedom*). Meetings are held on Sunday afternoons at 2 o'clock at the home of **Richard Kennedy,** 505 North Garden Street, #4-C Bellingham, Washington 98225 and all persons interested in libertarian theory are welcome to attend . . . **The Biocentric Institute** is sponsoring a 20 lecture course by **Nathaniel Branden** entitled "New Lectures on The Psychology of Self-Esteem" beginning Monday, October 21. The course will be given at 1125 21st Street, Santa Monica, CA—for further information please contact the Institute at 9255 Sunset Blvd., Los Angeles, CA 90069 . . . ◻

FLP candidates Jerome Tuccile (Governor) and Sanford Cohen (Congress) are assisted in their campaigning by Roger MacBride.

publisher's notes

• **LIBERALS LOSING GROUND:** In the wake of Watergate, a fascinating and potentially significant political development is occurring. Many traditional FDR-type liberals are reassessing their political beliefs and are undergoing a remarkable transformation.

As described by Haynes Johnson, a highly respected Pulitzer Prize-winning correspondent of the *Washington Post,* who has himself shifted his political thinking:

> Like so many of my generation, I grew up convinced of certain political facts. Franklin Roosevelt was my hero, the Democrats were my party, and ideologically I was a liberal. A strong central government was essential and we, the people, could rely on that government to exercise its powers to insure that the greatest number derived the greatest benefits. Vox populi. Democracy in action.
>
> Now I find myself in a peculiar position. . . . I want to limit the powers of the state . . . and to protect the individual against the tyranny of the mob.

Johnson describes himself as a "new conservative" with "no place to go politically." He says that he "long ago cast off any allegiance to the Democrats as a party," and he is "not sure anymore what either they or the Republicans represent."

In a column entitled "The Rise of the Conservatives," in the *Christian Science Monitor* (August 28), Roscoe Drummond describes Johnson's transformation as an example of the growth of the conservative movement, and asserts that traditional liberals who have come to oppose excessive centralization of personal power are "strengthening the voice of conservatism."

What Drummond does not recognize is that many liberals and conservatives who have become disaffected with the politics of traditional liberalism and conservatism have adopted a libertarian position, including many who are not even aware of the existence of the emerging libertarian movement. There appears to be an increasing willingness of people to reject government control and, instead, to advocate reliance on voluntary market approaches as the optimum way to deal with complex social and economic problems. Drummond himself sees a visible increase of voters who conclude that "everything can't and shouldn't be run from Washington." Once the media and pollsters start to ask people whether they consider themselves to be *libertarian,* rather than simply conservative or liberal, we don't expect it to be long before such commentators as Drummond start discussing "The Rise of the Libertarians."

• **REASON VS. THE STATE:** IBM has ordered 500 reprints of Alan Reynolds' article "Trust-Busting for Fun and Profit," which appeared in REASON's April 1974 issue. IBM's headquarters in Armonk, NY, said the reprints would be used in support of the company's defense against anti-trust activities of European governments. Reynolds' article previously received mention in *Datamation,* the computer industry's largest monthly magazine. Another company using REASON is Summa Corporation, owned by Howard Hughes, which recently purchased 20 copies of the July issue featuring Robert Poole's "The Seabed Power Struggle." As noted in Poole's article, Summa Corporation is one of the leaders in developing ocean mining technology, now threatened by the proceedings of the U.N.'s Law of the Sea Conference.

• **PRESS FREEDOM IN SOUTH AMERICA AND THE U.S.:** According to a survey compiled by David Belnap (*Los Angeles Times,* August 11), the independence of the press in 8 of South America's 10 Latin nations "now is weaker than ever before because of chronic progressive government encroachment." There are many measures used to shackle the press, with the most repressive conditions existing under the military governments in Chile and Peru. Rigorous repression also exists in Brazil, Paraguay and Uruguay, and only Colombia and Venezuela boast anything approaching press freedom as it is understood in the United States.

Peru's military government recently took over the country's eight major newspapers in the name of "the national interest," using Orwellian rhetoric in claiming that "expropriation of the papers has established the basis for permanent and authentic freedom of expression" in Peru (*Los Angeles Times,* July 28).

Meanwhile, in a local instance of repression, New York City's Commission on Human Rights has ordered the *New York Times* to stop printing employment ads placed by the Republic of South Africa, on the basis that they violated city laws against racial discrimination in advertising —even though the ads do not mention racial qualifications—since the Commission considered all hiring by the South African government to be subject to its policy of segregation. The *New York Times* will fight the ruling in court as violative of First Amendment guarantees of freedom of the press. The *New York Times* has advocated so many encroachments on economic freedom in the past (including a recent editorial urging the police to close down church bingo games) that it's nice to see them finally begin to (possibly) see the light.

• **RESTORING "GOLD CLAUSES":** In 1933, Congress acted to deprive Americans of the legal right to own gold and also the legal right to use gold as a measure of value in contracts. Prior to 1933, many agree-

ments contained "gold clauses," requiring payment in gold coin of specified quality. These gold clauses were used as an effective means of protecting sellers and lenders against inflation, by disallowing payment of debts with depreciated paper money. Although Congress has recently authorized the ownership of gold by Americans (to take effect shortly), it has yet to restore our legal right to make contracts in gold.

It is a basic tenet of libertarianism that people be free to make contracts for repayment in any medium of exchange they prefer. Imposing legal tender laws and outlawing gold clauses are blatant interferences with the freedom to contract, but such enactments have been upheld by the U.S. Supreme Court.

We are pleased to note that the August issue of the *American Bar Association Journal* contains a useful and timely article by René Wormer and Donald Kemmerer, "Restoring 'Gold Clauses' in Contracts," which considers various legal problems involved in restoring people's right to make contracts in gold and calls for recognition of the right of Americans to use gold clauses to help protect our contracts from the ravages of inflation.

• **STRINGENT MEDICAL REGULATIONS PROPOSED:** As we go to press, a Senate committee has approved a bill (S. 3585) that would force future medical school graduates to spend at least two years in areas where there are doctor shortages. Called "the single most important legislative action involving U.S. physicians," the radical bill is sponsored by Senators Edward Kennedy and Jacob Javits. It would impose federal licensing standards on all doctors in order to assure that physicians are "equitably" distributed geographically and by medical specialty, and would require doctors to get new licenses at least once every six years. The September 1974 issue of *Community Digest*, a publication of Blue Cross of Southern California, reports that the bill is expected to clear the Senate, but faces opposition from the House.

Although the Kennedy-Javits bill is opposed by the AMA, we regret to note that the Student American Medical Association (SAMA) (which purports to represent the nation's medical students) testified in favor of S. 3585. We deplore the stand taken by SAMA and the efforts of practitioners who—by their support of such programs as federal aid to medical schools, national health insurance, government fluoridation of drinking water, and licensing requirements in general—are helping to accelerate government control of health care services.

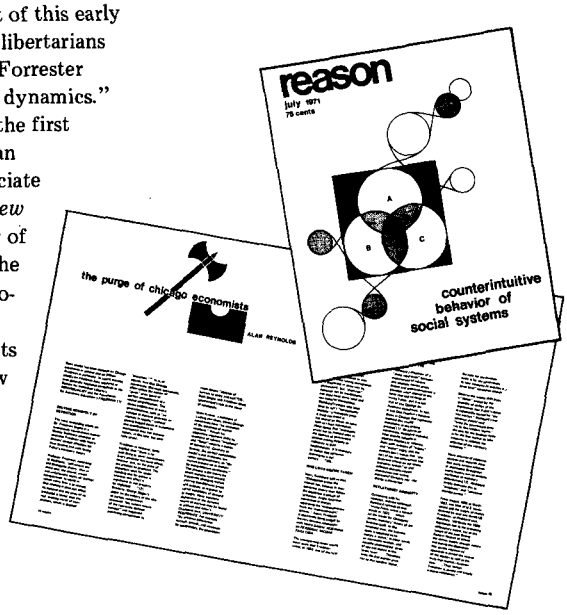
It is ironic that the U.S. is moving closer towards government control of medicine just as Britain's system of socialized medicine—the National Health Service—appears on the verge of collapse. According to a report in the *Christian Science Monitor* (August 1), "the problems plaguing the NHS appear almost endless" and the formerly highly-touted system—which currently has a hospital-bed waiting list of over 500,000—is going through the most serious crisis of its 30-year history.

• **WILL KENNEDY RUN?** Even the staunchest Nixon loyalists should take comfort in Mr. Nixon's Watergate woes, to the extent it has helped create an atmosphere discouraging Sen. Edward Kennedy from running for president in 1976. After the erosion of public confidence in politicians caused by Watergate, Chappaquiddick has reemerged as a topic of political controversy. The *New York Times* and *New Republic* and other normally pro-Kennedy publications have recently carried articles aggressively attacking Kennedy's Chappaquiddick cover-up, and some of Kennedy's closest advisers are now telling him not to run. If he asked us, we'd be happy to tell him where to run.

Have You Seen...

JULY 1974 $3.00

Very few copies are left of this early issue which introduced libertarians to MIT's Professor Jay Forrester and his work in "urban dynamics." The issue also features the first published article by Alan Reynolds (now an associate editor of *National Review* and contributing editor of REASON), entitled "The Purge of Chicago Economists." In addition, Dennis J. Chase recounts his attempt to interview Ayn Rand at the Ford Hall Forum in his article "Atlas Shrugged at Me." Order today while supplies last.



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reason profile

Among the more controversial issues of libertarian strategy is that of tax resistance —i.e., actively challenging and defying the coercive taxation powers of the State—and few libertarians are more involved in the tax movement than is Karl Bray, who currently has three lawsuits going against the IRS as well as presently having a suit docketed in the U.S. Supreme Court challenging the constitutionality of the income tax. In addition Bray authored and published (in 1972) a booklet entitled *Taxation and Tyranny;* is a co-editor of *Ripoff Resistance,* a monthly journal devoted to the techniques of tax avoidance; and is presently working on a full-length book on tax resistance.

Thirty-one year old Bray was born in Provo, Utah, studied at Brigham Young University, Weber State College, and Blackstone Law School. He and his wife, Donna Noble, will be moving to California in early 1975 so both can enter law school and work towards their J.D. degrees. Mr. Bray worked his way through college as an electronics technician and television repairman; after college he worked as a broadcast journalist and had his own radio talk show for a year in Salt Lake City.

Mr. Bray's other interests include flying, horses, and farming—he is currently completing the requirements for his pilot's license, and he and his wife raise quarter horses on their farm. His favorite authors are Ayn Rand (reading *Atlas Shrugged* in 1964 provided his introduction to libertarianism) and Isaac Asimov; he enjoys reading science journals and science fiction.

KARL BRAY

Although he is an activist—he is running for Congress on the Utah Libertarian Party ticket and is a member of the national Libertarian Party executive committee, as well as being a tax rebel—he sees that as basically a means to maintain his sense of life and assist more important processes. "A libertarian society will only be achieved through education and rational persuasion. There is no substitute for knowledge and we must take a long range point of view." ◻

The Personalist

a quarterly journal of philosophy

John Hospers, Editor

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letters

RENT CONTROL QUERY

The facts and analysis in David Grant's rent control article [August] were interesting, but it ended on a somewhat strange note. Said Grant in his concluding paragraph: "In a society where many industries are relatively unregulated, you cannot place heavy controls on one industry in one city and expect it to thrive. If profits are unlimited elsewhere, you cannot 'guarantee' a ceiling of 8.5 percent return on capital value at some future date and expect landlords to eagerly fix up all their apartments—especially if you guarantee no floor on losses."

Grant's article favored *local decontrol* of rents in New York City as a solution to that city's housing shortage. But the obvious implication of his concluding paragraph is that *nationwide rent control* would be an alternative solution. In point of fact, however, nationwide rent control would produce a nationwide housing shortage, rather than alleviating the local housing shortage in the New York area. The crucial fact in this matter is that *tenants have landlords outvoted.* If rents are decided at the political level, the landlords will get the shaft. The result will be a housing shortage.

Now I have done enough writing to realize that it is easy to wind up with implications that you do not intend. Is that what happened in this case? Or does Grant actually believe that nationwide rent control would end the New York City housing shortage?

Mitchell Jones
Austin, TX

MR. GRANT replies: Let me assure Mr. Jones that nationwide rent control was the last solution I had in mind for New York City's housing woes. If my conclusion suggested that, I wish to correct it and hereby sentence myself to re-reading the collected works of John Kenneth Galbraith.—**D. M. G.**

DECOLLECTIVIZE THE MILITARY

David Brudnoy is quite correct in his Viewpoint dealing with "A Libertarian Critique of the Military" [August] when he refers to the military as a collectivist monstrosity. There is no question that the military, as it now operates, is irrationally structured and thus destructive of individual rights.

But when one examines other basic institutions of society besides the military, e.g., the family and the school, one will find that these also are collectivist monstrosities consisting of the controlling authorities, the parents or school administrators, and the subservient subjects, the children or students who must obey every command coming from these authorities. And whatever "rights" appear to exist in these institutions (as well as the military) are really *privileges,* privileges which can be withdrawn at the whim of those in charge.

But neither the family, school nor the military need be collectivist institutions, although they are now undoubtedly structured as such due to, as Peter Breggin mentions in his REASON interview, the almost universal acceptance of "the general (altruistic) ethic of do as you are told, be controlled, be subject to control." In other words, *sacrifice* your individual rights and submit to the dictates of others for the "good of society."

One can decollectivize societal institutions only by extending the recognition and protection of individual rights to *all* citizens, including children and youths. To decollectivize the family it will be necessary to eliminate the mystically based marriage ceremony and contract, coupled with the elimination or rewriting of laws which apply to the offspring of a pair, laws which now obliterate the rights of these progeny. To decollectivize the school, it will be necessary to eliminate schools and colleges and replace them with education businesses, i.e., place education in the business community where rights are protected. (For further details see my article "The Foundation of Freedom," REASON, April-May 1971.)

To decollectivize the military it will be necessary to operate the military as one would operate any other business (although the military must be a branch of the government, a noncompetitive, nonbusiness organization). The military should hire people, by contract, to do specific jobs for which they will receive training. There is no reason for the dehumanizing and brutalizing basic training that is now given. What is needed is a positive and humanizing program to train individuals in the skills necessary to carry out the functions of the military, and if these individuals do not cooperate, as they agreed in their contract, they should be dismissed (fired).

Military discipline is necessary, just as discipline is needed in any enterprise. But there is a vast difference between the barbaric blind discipline that is achieved by means of force or the threat of force, and discipline achieved by means of voluntary cooperation to achieve mutual interests. It is discipline of the latter type which will serve the military well.

In a military that was structured according to business principles, there would be no need to suppress the freedom of speech (except to protect military secrets that must be withheld from enemies), freedom of political activity (one need not hire or retain an individual who pursues activities which are threatening to the country), or freedom of contract or association. The same rights as possessed by private citizens should also be upheld when one becomes a member of the noncollectivized, business structured military.

Yes, the military is a necessary institution, but like other societal institutions, it need not be collectivized. Knowing that a rationally structured military is a possibility is the first step. The next step is to help bring about this restructuring as the libertarian influence continues to grow.

Thomas Johnson
Fredericksburg, VA

Professor Johnson reviews William Rickenbacker's The Twelve-Year Sentence *elsewhere in this issue—Ed.*

VOLUNTARY MILITARY

I wish to express some criticisms of Dr. Brudnoy's column entitled: "A Libertarian Critique of the Military." As frequently happens in socio-political discussions, the basic philosophical issue was not clearly delineated in Dr. Brudnoy's article. The fundamental *libertarian* principle involved in the question of military service—or any kind of service—is whether or not it is *voluntary.* The intended purposes, actual uses, and means of financing military forces are, of course, also the concern of libertarians; but the subject of Dr. Brudnoy's column was limited to the working and living conditions of personnel in U.S. military service.

From a practical point of view, considering military service in a *voluntary* free-market setting, it would obviously be wise to make military service as attractive as possible, in terms of financial remuneration, life style, prestige, etc. How else (except by fraud) to induce people to volunteer? It is also probable that military regulations that afforded fewer constraints on the lives of military personnel would be successful in inducing more and better people to enlist, without necessarily increasing costs. The prevailing supply/demand characteristics of the (free) labor market naturally determine how many

qualified people sign up for an offered set of military-life conditions.

I certainly agree that many of the restrictions traditionally placed on the lives of U.S. and other military personnel have been senseless and unnecessarily severe. But, again, the essential ethical issue is that enlistment be based on a voluntary contract, i.e., one that does not involve coercion (governmental or otherwise) or fraud. The harshness of the contract's terms is ethically beside the point, however unpleasant, self-defeating, etc., as long as those terms are mutually understood and agreed upon. Actually, *all* contracts involve the *voluntary* modification of each party's rights, in exchange for rights concessions from the other(s). The goods and/or services that are exchanged (surrendered) do not have to be similar or (by some standard?) of equal value—they only have to be mutually agreed upon.

In his praise of Jerry Norton, Dr. Brudnoy states that the journalist "frequently speaks—and eloquently—against blanket amnesty." Since Dr. Brudnoy does not define "blanket amnesty," or Norton's argument against it, I hesitate (short of stopping) to question his evaluation of "eloquently." According to my understanding of "the amnesty issue," it involves the government's forgiving (i.e., not punishing) those who have left the U.S. to avoid being drafted (coerced) into military service, a clear violation of their basic rights (slavery). Mr. Norton may argue "eloquently" against such amnesty, but he cannot argue rationally or justly.

The final paragraph of Dr. Brudnoy's column suggests that Jerry Norton's critique of the military's rotten treatment of its personnel is somehow related to the question of the *need* of military force for defense. Both aspects deserve serious consideration, but I'm inclined to think that the apparently implied illogical connection between them was unintentional.

Joseph J. Curran
Daly City, CA

MILITARY REFORM

I read with interest David Brudnoy's article ["Viewpoint," August] on the present nature of the American military. Last February 27th I briefly got into a discussion with Mr. Brudnoy on this very subject at Indiana University Southeast in New Albany, Indiana. I agreed fullheartedly with him that the military's manpower should be decreased.

The present military establishment is repugnant to anyone who professes to be a libertarian. All attempts are made to eradicate a person's individuality, and individuality is what the libertarian movement is all about. A person's physical appearance is even altered (through compulsory haircuts) to stifle individuality. Even a century ago there was much more individuality throughout the American military than there is today.

In the book *The End of the Draft* by Karl Hess and Thomas Reeves there are several examples of what can be done to reform the American military to make it more democratic. One of the more interesting examples was the possible formation of voluntary unions in the military during peacetime. This is now the practice of the Scandinavian, Canadian, West German, and Japanese militaries.

But altogether it is completely asinine to think of World War III (if it ever comes) being fought in the same way as the second World War. Let's face it, W.W. III for the most part, is going to be fought with thermo-nuclear missiles, not men. Therefore the option of reducing the military into a "technological complex"; i.e., a few thousand people pressing little red buttons to release these warheads in case of an attack, should not be ruled out.

Of course it would be better for all nations to cast aside weapons and abolish war, but until that time comes I think the American military has no alternative but to transform itself into either a democratic establishment or a "push-button" technological complex.

Richard Clark
Pekin, IN

DR. BRUDNOY replies: I am in accord with Prof. Johnson's general views on the military, which are humane, correct from (what I gather to be) the orthodox libertarian premises, and possible. At the moment, however, I have some serious doubts whether an entirely free-market situation could obtain in the armed forces; a conservative-libertarian approach would call for a step-by-step movement to the goals Johnson desires. What's that old Chinese proverb about a journey of a thousand miles?

In reply to Mr. Curran, both Jerry Norton and I vastly prefer a voluntary to a conscripted military; what we have now is the former in practice but the latter waiting in the closet to be brought out when the authoritarians decide the voluntary military doesn't serve the purposes they favor. Accordingly, Norton—and I—would prefer that we work within the realities of the moment, bringing due process and as many aspects of voluntarism as are now possible into the military situation. Pie-in-the-sky theorizing I must leave to others, my own bent of mine being practical and my own *temperament,* conservative. (It is possible, by the way, to be a conservative by temperament and a libertarian by choice. Or somesuch. Which I am.)

Nevertheless, although *in theory* people now joining the military do so because of a strictly voluntary choice, *in fact* many do because they can't find work elsewhere. Therefore, on the one hand they know what they're doing, and suffer the consequences; on the other hand they grumble about the strictures put upon them. And rightly so. Change does not come by passive acceptance of unpleasantness; some good healthy "subversion" from within the military, and some attacks (like Norton's) from without, help to better the military situation to which Norton's lecture and my "Viewpoints" piece were aimed.

Mr. Norton's "eloquent" argument against blanket amnesty is one grounded in a humanitarian concern for the lives of the tens of thousands of people who would benefit from amnesty *plus* a concern for the viability of the armed forces, which viability would be diminished by (in effect) condoning desertion and draft evasion in principle. Neither Jerry Norton nor I like the idea of conscription; both of us recognize that it was the law, however undesirable that law seems to us now, and to others (and us) many years back.

The draft is a bad deal but it *was the law;* retroactive repeal of laws is not a part of Anglo-American jurisprudence, anymore than an ex post facto law is in any decent governmental system. It is a thorny problem: does one send someone up the river for 20 years because he puffs a marijuana joint, just because the law proscribes pot smoking? Well, we—REASON readers and I—say no. That's easy. But if one approves blanket amnesty now, what will happen in the next war, when, say, soldiers who have joined voluntarily (or, it may easily be imagined, joined because they were drafted) desert?

I don't know about the "implied illogical connection" to which Mr. Curran refers: I do know that this country will always need a military force, and that as best we can make military life decent, we should do so.—D. B.

PRO-ERA

I found Ms. Kinsky's editorial on the Equal Rights Amendment [August] refreshingly interesting, thought-provoking and useful.

—Useful because it presented the actual text of the ERA, thus dispelling the vague misconceptions many libertarians have about ERA.

—Interesting because it presented a strong case for a position that is certainly controversial in libertarian circles.
—And thought-provoking because the argument was compelling and reasonable.

There are of course good arguments to be made on the other side of this issue too, but if libertarians are concerned with real social change and not just utopian fantasies such issues as the ERA need to be rationally and logically argued and debated from both sides. Sometimes we may actually find that the most reasonable course is not the seemingly obvious one (let's watch out for knee-jerk libertarianism). Ms. Kinsky is to be commended for adding a little-heard (in libertarian circles) dimension to this important issue.

Sharon Presley
New York, NY

CANDIDATE SUPPORT

Thanks for your fine editorial on the Equal Rights Amendment. Somehow I've managed to remain uninformed on this issue up to the present time. Now your editorial has given me the intellectual ammunition needed to firmly support the ERA.

William C. White
Los Altos, CA

Mr. White is the California Libertarian Party candidate for the U.S. Senate—Ed.

ANTI-ERA

I am writing this response to the August editorial to clarify libertarian criticism of the Equal Rights Amendment. First of all, libertarians such as myself positively do not oppose the ERA on the grounds that conservatives such as Phyllis Schafly oppose that amendment. Libertarians in general do not favor current divorce and alimony laws, and support full property rights for women as well as men. Nor are libertarians opposed to female entry into male-dominated fields, when those exceptional women are equally qualified.

However, the ERA (regardless of its specific wording) may serve to enshrine the idea of egalitarianism, just as the Equal Protection clause has done in the case of blacks. Of course the ERA says nothing about quotas, etc.; but then, the 14th Amendment does not mention bussing for compulsory racial balance. Judicial misinterpretation of the Constitution is a current fact of life, and *should* be considered in the adoption of risky amendments, even if their actual wording seems in order. For more on artificial equality and the women's liberation issue see Dr. Murray N. Rothbard's two articles "Egalitarianism as a Revolt Against Nature" and "The Great Women's Liberation Issue—Setting It Straight," both contained in his latest book *Egalitarianism as a Revolt Against Nature and Other Essays. [Reviewed in this issue—Ed.]*

Another problem to be considered by libertarians is that the Selective Service System still exists and thus the draft could be reimposed in the case of war. The ERA would then double the number of eligible draftees. Although the actual number of draftees may well not double, it probably would at least increase with the increased availability. Moreover, the number of induced draft-scared volunteers would probably increase, to the delight of our military slave-holders. Moreover, regardless of the actual total number of men and women drafted, there is the additional uncertainty to which all members of the relevant age group would be subjected; the ERA would in effect double the number of persons subject to this uncertainty.

Thirdly, the inclusion of the ERA in the Constitution may subject other constitutional rights to a precarious "balancing test"; when sex equality conflicts with freedom of the press for example, the latter may be denied by the Court. In fact, the Supreme Court did exactly that in the recent Pittsburgh Commission case. By a

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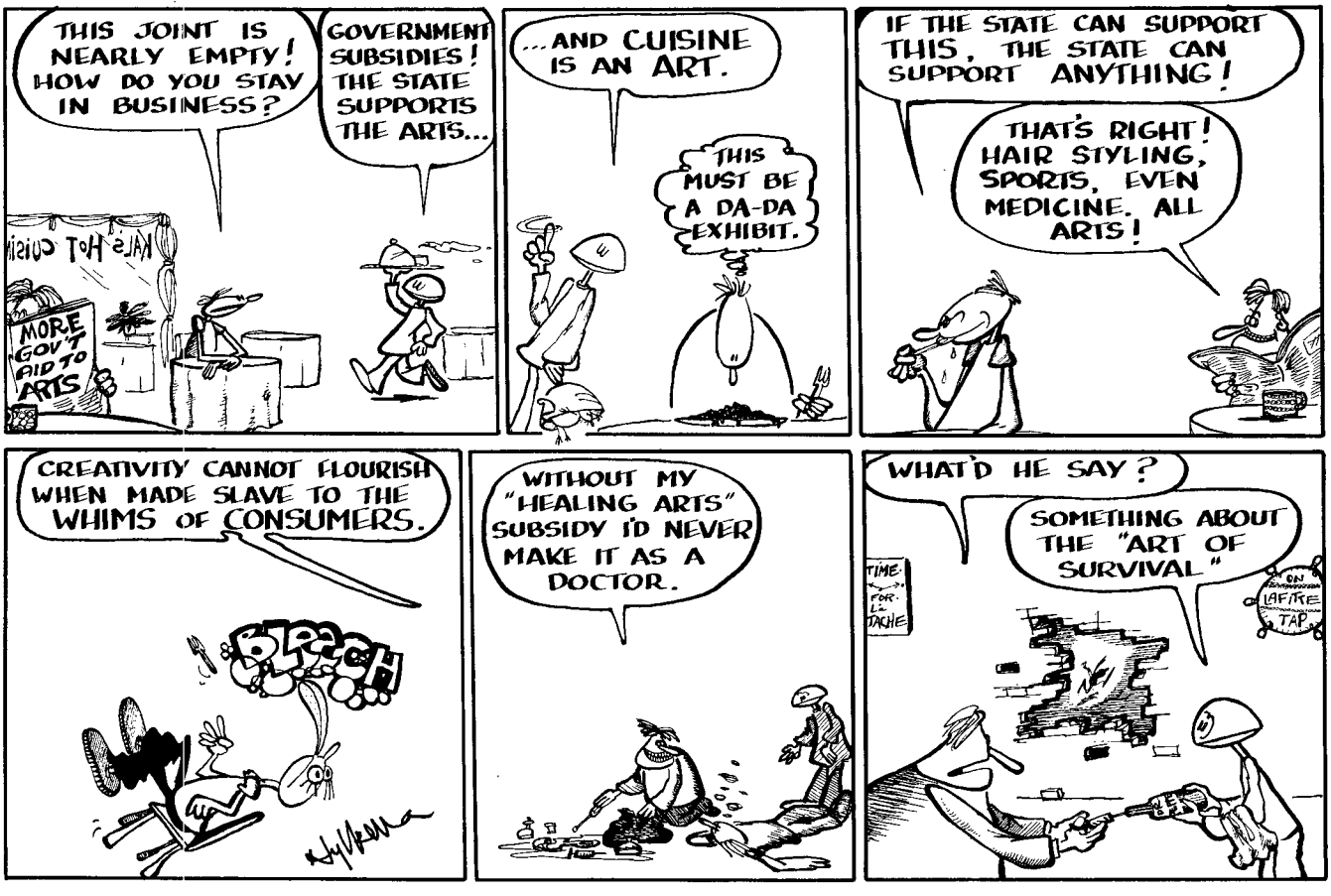
RANDALL K HYLKEMA


THIS JOINT IS NEARLY EMPTY! HOW DO YOU STAY IN BUSINESS?
GOVERNMENT SUBSIDIES! THE STATE SUPPORTS THE ARTS...
MORE GOV'T AID TO ARTS
...AND CUISINE IS AN ART.
THIS MUST BE A DA-DA EXHIBIT.
IF THE STATE CAN SUPPORT THIS, THE STATE CAN SUPPORT ANYTHING!
THAT'S RIGHT! HAIR STYLING, SPORTS, EVEN MEDICINE. ALL ARTS!
CREATIVITY CANNOT FLOURISH WHEN MADE SLAVE TO THE WHIMS OF CONSUMERS.
BLECH
WITHOUT MY "HEALING ARTS" SUBSIDY I'D NEVER MAKE IT AS A DOCTOR.
WHAT'D HE SAY?
SOMETHING ABOUT THE "ART OF SURVIVAL"
TIME FOR LI'L DACHE
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close 5-4 vote the justices decided that newspapers did not have the right to run want-ad columns separated by sex. Now the pro-ERA agitator may object that if the Court already engages in such ridiculous "balancing," then the ERA could not make things much worse. But it is easier to challenge the constitutionality of mere legislative statutes (as at present) vis-a-vis e.g. the First Amendment than to uphold claims of competing constitutional protections. This same comment applies to yet another danger behind the ERA: interference with private employment discrimination. Despite the ERA emphasis on government discrimination, challenges to government intervention in private discrimination could be made more difficult by adoption of the ERA. The Civil Rights Act, as a mere legislative entity, could presently be declared unconstitutional in its unlibertarian applications with greater likelihood than after the adoption of the ERA.

My final objection to the ERA does concern its actual wording, not merely pragmatic considerations of judicial misinterpretation etc. The "legislative enforcement" clause of the ERA is completely off the mark from a libertarian point of view. What is needed in the women's rights area is precisely *not* more legislation, but the repeal of existing discriminatory legislation, such as protective labor laws. In fact, I consider the editorial's optimism regarding the probable demise of such laws upon adoption of the ERA as completely unfounded. Could the ERA not just as easily be interpreted to mean that protective labor legislation should be applied to *both* men and women? Actually the latter would be much more in keeping with current socialistic trends; thus, we would risk hour limits for men as well as women upon adoption of the ERA.

As a final comment let me remark that what really matters to the libertarian is not so much equality of treatment before the law, but rather the total amount of enslavement and other crimes committed by the state. The analogy with taxation is appropriate: much more important than the progressiveness or the proportionality of taxation is its overall level. A progressive tax structure ranging from 0-10 percent for example, is preferable from a libertarian viewpoint to a proportional tax structure of say 30 percent.

At the very least, libertarians should agitate for a change in the ERA enabling clause before embarking on the risky course of campaigning for the ERA's adoption.

Frank H. Horn
Member, Wisconsin LP

KINSKY AND THE ERA

Ms. Kinsky's editorial supporting the ERA was not "profoundly" libertarian. In contrast to her naive assertions, every enabling clause enacted has been used by manipulators to interfere with individual freedom. If she had briefly researched the historical legislative and judicial interpretation of such enabling provisions, that fact would be clear to her unless the cause she supports is above objective evaluation.

Furthermore, the enabling clause by its clear wording contradicts what Ms. Kinsky argues that is "implies." A government body does not "enforce" anything against itself but rather against individuals. And since legislation has created the inequities she complains of, more "appropriate legislation" is not needed but rather delegislation of the old.

Beyond her attempt to assure us that the ERA is not an encroachment, her arguments for support of the amendment could be incorporated in the Democratic Party Platform. Contrary to Ms. Kinsky's position, the ERA is and would be an extension of collectivism.

Dean R. Hyatt
Buena Park, CA

ERA PROBLEMS

I am very much concerned about the editorial by Lynn Kinsky on ERA. I question the need for another amendment. The basic intentions of our constitution become clouded with each additional amendment. It certainly opens up avenues for interpretations which reach into the relationship of marriage. To be an individual means that one can't force cooperation and love. The ERA, in my opinion, is a cry for attention to problems which can best be solved through proper channels of legislation. The culture of this nation is still based on a moral and ethical value system —I hope.

There are 17 State Legislatures which have rejected (or never ratified) ERA. They are: Alabama, Arizona, Arkansas, Florida, Georgia, Illinois, Indiana, Louisiana, Mississippi, Missouri, Nevada, North Carolina, North Dakota, Oklahoma, Utah, South Carolina and Virginia. Nebraska and Tennessee have rescinded their ratification. There is a 97-page Virginia Task Force Report which proves that there are no advantages for women in ERA and many disadvantages. Virginia rejected the ERA based on the findings of this report.

The whole world needs liberation into doing their own thinking. If there are husbands who are slaves, it is their own choice. Using this slave idea as the reason that Phyllis Schlafly opposes the ERA, is a tactic that I don't like to see in an editorial in your magazine.

There are real differences, both physical and social, between men and women. Why not let them resolve their differences without the shackles of ERA? Will ERA cause as much confusion as the 1964 Civil Rights Act which was supposed to be the cure-all for what ails everyone? What hap-

Reason's Letter of the Month

The letter below, by subscriber Michael J. Gorr, appeared in the August 7, 1974 issue of the *Boston Globe:*

FREE SOCIETY'S RISK

The Globe *has for some time been waging an intensive campaign to outlaw the ownership of certain weapons, especially handguns. It is usually argued that such legislation is justified, not on the grounds that it will reduce crime (for this is patently fallacious—criminals, who will always manage to obtain weapons, will have even greater success against a legally-disarmed citizenry, a fact which will in turn serve as an incentive for further crime), but because it will help prevent many injuries and deaths now attributable to negligence, passion, or simple accident.*

But what is the principle which underlies and justifies this position—that the state may intervene in any activity so long as there is a possibility that some of those engaging in that activity might accidentally cause injury to others? If so, what form of governmental interference would such a principle fail to license?

Moreover, what about the victims of such legislation, those persons who will be injured or killed because they were legally prohibited from taking certain measures to defend themselves? If there are no controls on gun ownership, then the responsibility for those who are victimized because they are prevented from defending themselves rests in large part with those who advocate and support such legislation.

Michael J. Gorr
Cambridge, MA

REASON subscribers are encouraged to write letters to the editor of their favorite newspaper, magazine, or journal, presenting libertarian views on topics of current interest. Each month REASON selects the most notable published letter for republication in this space, and honors the writer by a six-month extension of his or her REASON subscription. Send copies of your published letters to Reason Letter of the Month, Box 6151, Santa Barbara, CA 93111.

pens to the equal rights clause already in the 14th Amendment? Do we achieve equality by lowering the privileges now accorded to men or by raising the privileges of women?

Isn't the reading or rereading of Ayn Rand's *Anthem* a "must" to get a true perspective on what is happening in the world today? Let's do it before we become a number in a numberless pile being trampled on by those who think the ERA is the paragon for today.

Dorothy Mavrich
Joliet, IL

ERA AND SEX DIFFERENCES

I was both amazed and somewhat amused by the emotional editorial on the so-called Equal Rights Amendment in the August issue of a magazine sporting the title, "Reason."

As one who has called himself libertarian for 20 years since giving up the fight to win back the right to use the once-honorable and essentially synonymous term "liberal" from the collectivist Tories who stole it, I object to your dogmatic statements about what is and is not a "libertarian" position with respect to ERA.

My Merriam-Webster II, which finally convinced me to adopt the new label somewhere around 1952 or so, defines "libertarian" this way: "One who holds to the doctrine of free will; also, one who upholds the principles of liberty, esp. individual liberty of thought and action."

If one assumes, as I do, Ayn Rand does, Ludwig von Mises did, John Hospers does, and as you apparently do, that the existence of laws and governments is not necessarily incompatible with libertarian principles, and if you further assume, as a very large number of persons do, that government's sole job is to exercise defense functions, then I see no way that any legislature could comply with your demand that every individual of both sexes be treated the same in all situations. Women, except for a relative few Amazons, are considerably more vulnerable and more in need of defense than most men. I would be interested, for instance, in how you would define the crime of "rape" without making a distinction between the sexes. Similarly, although I don't think "alimony" is or should be warranted merely from the fact of divorce, I think the law must take cognizance of the husband's responsibility to a woman he has placed at a disadvantage by begetting children as something somewhat different in kind than the responsibility of the woman arising from their joint acts.

But, in order to get to ERA, let us assume you are right all the way about what the laws *should* provide with respect to ignoring sexual differences, and assume further that your ideas on these points were shared by all who come within the scope of the label "libertarian."

Will ERA accomplish the purpose? You seem confident it will, because you think you know what the words mean, saying flatly that "The Equal Rights Amendment specifically enjoins *governments* from discriminating . . . ." [Your emphasis.] It certainly does not do it "specifically." With warped, but strong, minds like those of Burger, Brennan, and Warren defining the words, and even with honest judges who look at them on the basis of legal precedents, the ERA will not be interpreted in practice as you suggest. You recognize the problem but dismiss it, saying that "then the Court is the problem, not the Amendment." But the Court problem must be solved first, or the Amendment will miss its mark. Or the amendment should be re-worded to say what you say it says and say it on a basis that will avoid the force of legal precedents that can make a mockery of it, even with honest judges committed to the modern upside-down notions of *stare decisis.*

If the legislatures that have already approved the amendment were to go ahead and act in accordance with your interpretation of it, women and men who like it that way would have an awful lot of places to go to escape their "slavery."

Meanwhile, if their attempt to force it on the other states is successful, the net result will be to broaden the power of both state and Federal governments to interfere in the lives of individuals, and none of us slaves will have any place to run.

Philip M. Carden
Nashville, TN

BROWNE'S ETHICS

I found Paul T. Sagal's article on Harry Browne [September] to be of considerable interest and importance. Libertarians would do well not to quickly dismiss Browne, or his philosophical precursor and mentor, Max Stirner. Browne has, for one, reached more people with his brand of libertarianism than any other contemporary writer save perhaps Ayn Rand: that is in itself too vastly important an achievement to be ignored, or not to be taken seriously.

It would be inappropriate for REASON to have asked Ayn Rand to review *Is Objectivism a Religion?* It was likewise inappropriate as Harry Browne wrote to REASON, to have a politician, John Hospers, review his *How I Found Freedom,* a book that urges the pursuit of the libertarian ideal by primarily extrapolitical means. It is fairly obvious that if politics came to play an increasingly smaller role in the libertarian movement, Hospers might find his stature and importance in the movement likewise diminished. He does have rather a vested interest in the continuation of libertarianism as a political movement, and, in fact, as a primarily political movement. But just as the *Encyclopedia Britannica* will likely not commission Richard Nixon to write its article on Impeachment, neither should we let Dr. Hospers, as valuable and important as his observations may be, have the last word on Browne. I think, alas, that his review showed moreover that he neither carefully read nor completely understood the subject book.

Perhaps it would be best, in the end, if Harry Browne could find the time to write his own REASON article. If that were done, the questions might to some extent be laid to rest: Is Browne's philosophy an amoral one? Is he, in fact, more or less a disciple of Stirner? Is he an "Epicurean"? Or is his book a practical manual of self-liberation, in itself amoral by emphasizing expediency, but not necessarily advocating amorality? I can think of no one more qualified than Browne—or at least a serious student of amoral egoism as propounded by Stirner, Badcock, Walker, Browne, et al.—to tackle these questions in the pages of REASON, and throw some light on the issues raised.

Robert Smith
Grand Rapids, MI

INFLUENCING FORD

Since we cannot change the world over night, let's work with what we have.

President Ford is being tempted to become the President who led America out of the darkness of the Nixon Administration and into an era of "peace and unity." In his efforts to make peace with Congress I fear that he will weaken his once firm opposition to Federal aid.

In Ford's 25 years as Congressman, he opposed almost all forms of social welfare including food stamps, Medicare, Federal aid to elementary and secondary schools, rent subsidies, Model Cities and creation of the Office of Economic Opportunity.

Why don't libertarians barrage him with letters in order to let him know that he is strongly supported at least on this one point?

Kay Taylor
Franklin Park, IL

Letters from readers are welcome. Each receives editorial consideration, although only a selection can be published and none individually acknowledged. They should be kept as brief as possible and are subject to condensation. Letters submitted for publication in this column should be typed, double-spaced. Send letters to REASON, P.O. Box 6151, Santa Barbara, CA 93111.

THERE'S MORE TO FREEDOM THAN SLOGANS

Everybody claims to be in favor of "freedom." Yet how many people really understand what it's all about? Consider the businessman who's all for free competition . . . unless his competition is named IBM or is Japanese. Or the mayor who wants plentiful transportation . . . but outlaws jitneys. Or the military leader who wants to defend freedom . . . using conscripted labor. Or the citizen who's all for free speech and press . . . so long as the material isn't "obscene." Each wants freedom for the things he considers important, but at the expense of somebody else's freedom.

At REASON Magazine, we believe in freedom for *everyone*. With Herbert Spencer and John Stuart Mill, we believe a person should be free to take any action, so long as it does not interfere with the liberty of anyone else. We call this point of view *libertarianism*. It is unabashedly individualistic, capitalistic, and (we think) reasonable. Moreover, this voluntaristic, free market approach points the way toward solutions to many of the problems created by the unbridled growth of Big Brother statism — like war, taxation, the energy crisis, and inflation.

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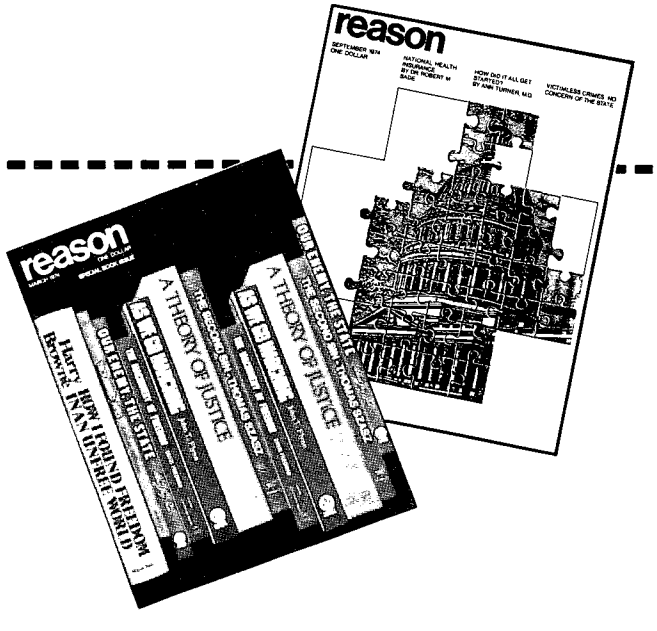

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- IBM: Producer or Predator?
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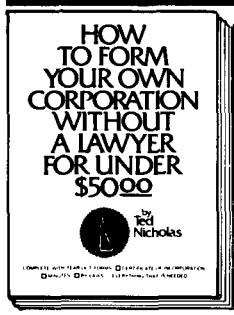
How to form your own corporation without a lawyer for under $50.00

By Ted Nicholas



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How to own and operate a corporation anonymously if desired. This assures maximum privacy.

How to form a non profit corporation. How to utilize tax "gimmicks" to personal advantage.

Find out why lawyers charge huge fees for incorporating services even when often times they prefer not to.

Learn how and why you can legally incorporate without the services of a lawyer. There is a fallacy in that most people feel it is necessary to have a lawyer to incorporate.

How to form an "open" or "close" corporation and the difference between them. Report contains tear out forms.

Sub Chapter S Corporations. What they are. How to set one up. How to operate a business as a corporation, yet be taxed on individual tax rates if more advantageous.

Learn about the many dangers and hazards of not incorporating partnerships and proprietorships.

What a Registered Agent is. How assistance is provided to individuals who incorporate. The most economical company to use. A complete section on this.

How to cut out all fees of the "middle man" normally involved in forming a corporation.

How a *"professional"* can benefit from incorporating.

How to save from $300 to over $1,000 in the formation of the corporation alone!

What a *"foreign"* **corporation is.** A State by State list of the filing fees involved in registering a "foreign" corporation.

Learn how a corporation can sell its stock to raise capital at any time.

How a single individual can be President, Secretary and Treasurer. There is no need to have anyone involved except a single stockholder although, of course, as many as desired can be included.

How to arrange for any stock sold to an investor in a corporation to be tax deductible to the investor's personal income in the event of loss. This makes the sale of stock in a corporation far more attractive to an investor.

An outline of the many situations where an individual would benefit by incorporating.

How to legally incorporate and sell stock in a corporation without "registering" the stock.

What par and no-par value stock is and which is the most practical.

How an existing, unincorporated business anywhere in the United States can benefit by incorporating. Also included are the steps to take after incorporating.

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What is going on? Let me tell you: we are witnessing new economic patterns unlike anything we have seen in this lifetime. We are witnessing inflation with rising prices and critical shortages—some very real—some imaginary, but carefully staged for the benefit of a few shrewd companies or individuals. We are observing a world that, despite short-term fluctuations, is openly expressing its mistrust of the value of our dollars. And we are witnessing the world's superpowers teetering precariously on the brink of runaway inflation, depression, or *both*.

The next few years will belong to those who understand that *these new economic patterns are still based on the natural economic laws that are as old as civilization*: supply and demand; self-interest and greed; the domination of the blind and the faint-hearted by those who have the courage to *act* rather than to foolishly do *nothing* while "hoping for things to get better."

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THE *INFLATION SURVIVAL LETTER*

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